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Journal of the Convention of the western part of the

Territory, Begun and held at the Town of Washington in the
of Adams and Territory aforesaid on the seventh day of July in the
year of our Lord one thousand eight hundred and seventeen and of the
Independence of the United States of America the Forty Second
being the time and place appointed for the meeting of the Conven
for the purpose of forming a Constitution and State Government, by
Virtue of an act of Congreſs entitled "an act to enable the peop
of the Western part of the Miſsiſsippi Territory to form a Constitu
and State government, and for the admiſsion of such State into the
Union on an equal footing with the Original States" paſsed the
first day of March Eighteen hundred and Seventeen..

When the following members appeared and took their seats Viz.:

Henry D Downs	From Warren County
Andrew Glaſs	
Walter Leake	Claiborne County
Thomas Barnes	
Daniel Burnet	
Joshua G Clarke	
Cowles Mead	Jefferson County
Cato West	
Hezekiah J Balch	
Joseph E Davis	
David Holmes	Adams County
Josiah Simpson	
James C Wilkins	
John Taylor	
Christopher Rankin	
Edward Turner	
Joseph Seſsions	
John Steele	
John Shaw	Franklin County
James Knox	
George Poindexter	Wilkinson County
Daniel Williams	
Abram M Scott	
John Joor	
Gerard C Brandon	
Joseph Johnson	

Henry Hanna	Amite County
Thomas Bachelor	
John Burton	
Thomas Torrence	
Angus Wilkinson	
William Lattimore	
David Dickson	Pike County
William J Minton	
James Y McNabb	
Harmon Runnells	Lawrence County
George W King	Marion County
John Ford	
Dougal McLaughlin	
Noel Jourdan	Hancock County
Amos Burnet	
James Patton	Wayne County
Clinch Gray	
Laughlin McCoy	Green County
John McCray	
John M Leod	Jackson County
Thomas Bilbo	

A Quorum being present the Convention was ready to proceed to business,

On Motion of Mr. Burnet of Claiborne and Seconded Resolved that the Convention do now proceed by Ballot to the Election of a president of the Convention and that two tellers be appointed for the purpose of Counting the Ballots — whereupon Mr. Taylor and Mr. Burnet (of Claiborne) were appointed and upon Counting the Ballots it Appeared that Mr. David Holmes was duly Elected whereupon he was Conducted to the Chair and having made his acknowledgments Entered upon the duties thereof

On motion of Mr. Poindexter and Seconded, Resolved that the Convention do now proceed to the Election of a Secretary under the direction of the said tellers and upon Counting the Ballots it appeared that Mr. Louis Winston was duly Elected whereupon he was notified of his appointment and entered upon the duties of his office.

On Motion of Mr. Poindexter and Seconded, Resolved that the Convention do now proceed to the Election of a Door Keeper under the direction of the same tellers and on Counting the Ballots it appeared that John Lowry was duly elected who entered upon the duties of his office..

On motion of Mr Poindexter and Seconded Resolved that door Keeper be directed to engage in the service of the Conve two suitable persons to assist him in the discharge of the dutie of his office..

On Motion of Mr Lattimore and Seconded Resolved that a Committee of four members be appointed to prepare rules and regulatio for the Government of this Convention during the Session thereof. and Messrs Lattimore. Burnet (of Claiborne). Patton. Turner and Ford were appointed

On Motion of Mr Poindexter and Seconded, Resolved that the rules and orders for the government of the House of Representatives of the Mississippi Territory be adopted as the rules and orders. for the government of this Convention, so far as they are applicable until they shall be altered by order of the Convention.

On Motion of Mr Lattimore and seconded that a Com mittee of Elections be appointed to consist of five members. whereupon Messrs Lattimore, West, Shaw, Dixon and Runnells were appointed.—

On Motion of Mr Poindexter & seconded Resolved that a Committee of accounts be appointed to consist of three Memb and Messrs Poindexter, Downs and McCoy were appointed accordingly.-

On motion of Mr Runnells and Seconded ordered that the Convention do adjourn until 10 oclock tommorrow morning

Tuesday 8 July 1817

The Convention met Pursuant to adjournment.

Mr Shaw moved that the words "and seconded" as often as they occur in the Journal to be struck out.— And the question thereon being taken it was resolved in the Negative.

Mr West offered the following resolution towit,

"Resolved by the Convention that it is not expedient at this
„ time to form a Constitution and State Government for the People of
„ the western Part of the Mississippi Territory as authorized by the act
„ of Congress of the first of March 1817. entitled "an act to enable
„ the Peoples of the western part of the Mississippi Territory to form
„ a Constitution and State government and for the admission of
„ such State into the Union on an equal footing with the original
„ States"

And a question of order arising thereon the Chair determined the

the consideration of said Resolution to be out of order.

Mr. Turner moved the following Resolution

" "Resolved that it is expedient at this time to form a Constitution
" and State Government for the People of the western part of this
" Territory according to the provisions of the act of Congress entitled "an
" act to enable the People of the Western part of the Mississippi
" Territory to form a Constitution and State government and for the
" admission of such state into the Union on an equal footing with
" the original States" Passed March first 1817" and

On motion of Mr. Turner and Seconded. Resolved that the Convention will now proceed to the consideration of said Resolution.

On motion of Mr. Turner and Seconded

Resolved that the said Resolution be referred to a Committee of the whole.

Mr. Mead moved and was seconded that the consideration of the said Resolution in Committee of the whole be made the order of the day for tomorrow.

And the question thereon being taken it was Resolved in the negative.

On motion of Mr. Turner and Seconded.

Resolved that the Convention do forthwith Resolve itself into a Committee of the whole on said resolution

Whereupon the Convention, resolved itself into a Committee of the whole on the Resolution upon the expediency of forming a Constitution & State Government and after some time spent therein Mr. President resumed the Chair, and Mr. Leake reported that the Committee had according to order, had the said Resolution under consideration, and not having time to go thro' the same had made some progress therein, he was ordered to ask for leave to sit again

On motion of Mr. Clarke and Seconded.

Resolved that the Committee of the whole will sit again on said resolution on to morrow.

On motion of Mr. Clarke and Seconded

Ordered that the Convention do adjourn till 9 o'clock tomorrow Morning..

Wednesday 9th July 1817.

The convention met pursuant to adjournment &c.

Mr. Lattimore from the Committee appointed to prepare rules and regulations for the government of the Convention, made a report which was received.

And on motion of Mr. Lattimore and Seconded, ordered tha
the said report be referred to the Committee of the whole, and be ma
the order of the day tomorrow.

Mr. Poindexter offered the following resolution.
Resolved that the Secretary of the Convention, under the directio
of the President thereof, be & he is hereby Authorised to Contract for th
printing.

Ordered by the Convention to be done during the Sessio
And on motion of Mr. Poindexter and Seconded, Resolved that
the Convention will now Consider said Resolution.—

And upon the Question being taken thereon it was determined in the Affirmative.

On the Question being put Will the Convention agree to
the sd. resolution. It passed in the affirmative.—

On motion of Mr. Lattimore and Seconded.
Ordered that the Credentials of the Members of the Convention
be referred to the Committee of Elections.

On motion of Mr. Leake and Seconded.
The Convention resolved itself into a Committee of the whole, on
the Resolution offered by Mr. Turner on Tuesday "That it is Expedient
at this time to form a Constitution and State Government. &c
Mr. Leake in the Chair. And after some time spent therein Mr.
President resumed the Chair, and Mr. Leake reported that the Committ
had according to order had the said resolution under Considera
and had directed him to report the same without amendment.

Mr. Poindexter moved and was Seconded.
That the further Consideration of the report of the Committee of
the whole on the said Resolution be postponed till the fifteenth da
of March next.

And a question of order arising on the said motion. Mr. President
determined that the said motion was in order. From which decision
an appeal to the Convention was moved by Mr. Runnells and seconded
by Mr. Lattimore.—

The yeas and nays being demanded by Mr. Poindexter & Mr.
Lattimore two of the members present

Those who voted in the affirmative are.
Messrs. Barnes, Burnett (of Claiborne) Balch, Brandon, Batchelor, Burton, Burnet (of Hancock) Bells, Clark, Downs, Davi
Dickson, Ford, Glass, Gray, Hanna, Ivor, McKay, McLead
Patton, Simpson, Sessions, Torrence, Johnson, Jourdan, Knox.
King, Leake, Mead, Minton, McLaughlin, McRea, McKa

Poindexter, Scott, Taylor, Turner, Williams, West & Wilkinson
Those who voted in the negative are
Messrs. Lattimore, Rankin, Runnells, Shaw and Wilkins

The question was then taken on the motion to postpone the further consideration of said resolution until the fifteenth day of March next.

And the question thereon being taken, it was determined in the negative, The yeas and Nays being demanded by two of the Members present, Those who voted in the affirmative are

Messrs. Balch
Brandon
Batchelor
Burton
Davis
Dickson
Door.
Johnson
Mead
McLaughlin
Poindexter
Scott
Williams
West. Yeas 14.

Those who voted in the negative are

Messrs. Holmes
Barnes
Burnet (of Claiborne)
Burnet (of Hancock)
Bilbo
Clark
Downs
Ford
Glass
Gray
Hanna
Jourdan
Knox
King
Leake
Lattimore
Minton
McCoy
McLeod
McCrea
McNabb
Patton
Rankin
Runnells
Simpson
Sessions
Steele
Shaw
Taylor
Turner
Torrance
Wilkins
Wilkinson Nays 33.

On motion of Mr. Turner & seconded.

Resolved that the report of the Committee of the whole on said resolution be concurred in by the Convention.

On motion of Mr. Turner and seconded ordered that the said Resolution be engrossed for a third reading forthwith.

Mr. Poindexter gave notice that he would on tomorrow move a resolution for the appointment of a Committee.

to prepare and report to the Convention a memorial to ~~the~~ Congr the United States praying an extention of the boundaries of the S to be formed in the western part of the Mississippi Territory.

The Engrossed resolution declaring that it is expedient at th time to form a Constitution & State government for the people in th Western part of this Territory, according to the provisions of the act of Congress entitled "An act to enable the people of the western part of the Mississippi Territory to form a Constitution & State government & for the admission of such State into the Union on an equal footing with the original States, passed first day of March Eighteen hundred and seventeen. Was on the motion of Mr Turner & seconded, read a third time And on the question "Shall the said Resolution pass." it was resolved in the affirmative.

The Yeas and nays being demanded by Mr. Mead and Mr. Johnson two of the members present.

Those who voted in the affirmative are

Messrs. Holmes
Barnes
Burnet (Claiborne)
Burnet (Hancock)
Bilbo
Clark
Downs
Dickson
Ford
Glass
Gray
Hanna
Jordan
Knox
King
Leake
Lattimore
Minton

McLaughlin
McKay
McLeod
McCrae
McNabb
Patton
Poindexter
Rankin
Runnells
Simpson
Sessions
Steele
Shaw
Taylor
Turner
Torrence
Wilkins
Wilkinson Yeas 36

Those who voted in the negative are

Messrs. Balch
Brandon
Batchelor
Burton
Davis
Ivor

Johnson
Mead
Scott
Williams
West. Nays 11

Mr. Poindexter offered the following resolution.

Resolved that a Committee of nine Members be appointed to prepare and report to this Convention a Constitution or form of government for the State to be formed in the Western part of the Mississippi Territory.

Ordered that said Resolution lie on the Table.

Mr. Lattimore offered the following resolution " Resolved that a Committee consisting of one member from each County be appointed to prepare a plan of a Constitution for the consideration of the Convention

Ordered that said Resolution lie on the table. —

On Motion of Mr. Burnet (from Claiborne) and seconded Ordered that the Convention do adjourn till nine O clock tomorrow Morning

Tuesday 8th July

The Convention met pursuant to adjournment

Mr. Lattimore from the Committee of priviledges & Elections report, that the Committee of Elections, " to whom were referred the Credentials of the members returned to serve in this Convention, that they have had the same under consideration and find the following gentlemen to be duly elected and returned; towit,

H. D. Downs Andrew Glass	From Warren County
Daniel Burnet Walter Leake Joshua G. Clark Thomas Barnes	From Claiborne County
William Lattimore Henry Hannan Thomas Batcheller Thos. Torrence Angus McKinson John Burton	From Amite County.
Geo. W. King Harmon Runnels	From Lawrence County
Amos Burnet Noel Jourdan	From Hancock County.
Locklin McKay John McRay	From Greene County
Dugal McLaughlin John Ford	From Marion County.

David Holmes	
Josiah Simpson	
James C Wilkins	
John Taylor	
Ch. Rankin	From Adams County
Edwd Turner	
Jos. Sessions	
John Steele	
Gerard C Brandon	
Danl. Williams	
Geo. Poindexter	From Wilkinson County
John Joor	
Jos. Johnson	
Abm. M Scott	
John Shaw	
James Knox	From Franklin County
John McLeod	
Thos. Bilbo	From Jackson County
Clinch Gray	
James Patton	From Wayne County
David Dickson	
Wm. J Minton	From Pike County
James Y McNabb	
Cato West	
Cowles Mead	
H. J. Balch	From Jefferson County.
J. E. Davis	

On Motion of Mr Lattimore & seconded, ordered that said Report lie

Ordered that said Report lie on the table

Mr Rankin offered the following resolutions.

Resolved that a Committee be appointed to prepare and report to this Convention a plan for so much of the Constitution to be adopted as relates to the Judiciary department of the government. —

Resolved that a Committee be appointed to prepare and report to this Convention, a plan for so much of the Constitution to be adopted as relates to the Legislative department of the Government

Resolved that a Committee be appointed to prepare and report to this Convention a plan for so much of the Constitution to be adopted as relates to the Executive department of the government.

Resolved that a Committee be appointed to prepare and report to this Convention a plan for so much of the Constitution to be adopted as relates to subjects not properly under the Head of the Executive, Legislative or Judicial departments.

Resolved that a Committee be appointed to prepare and report to this Convention a Schedule to the Constitution to be adopted by this Convention.

Resolved that a Committee be appointed to prepare and report to this Convention "an ordinance irrevocable" as required by the act of Congress authorizing the western section of the Mississippi Territory to form a Constitution & State government.—

On motion of Mr. Rankin and Seconded.
Ordered that said Resolutions lie on the table.

Mr. Shaw offered the following resolutions
Resolved that the following Committees be appointed, towit

1st. A Committee of Members to prepare and report a preamble to the Constitution about to be formed, & also a Bill of rights, with an article concerning the distribution of the powers of government.

2nd. A Committee of Members to prepare and report a pream= article on the subject of the Legislative department.—

3rd. A Committee of Members to prepare and report an article concerning the Executive department.

4th. A Committee of Members to prepare and report an article concerning the Judicial department

5th. A Committee of members to prepare and report an article concerning education, also an article concerning impeachments. and the mode of revising the Constitution.

6th. A Committee of Members to prepare and report an article concerning such miscellaneous & general provisions as cannot come properly under any of the foregoing heads

On motion of Mr. Shaw and Seconded.
Ordered that said Resolutions lie on the table.

On motion of Mr. Poindexter and Seconded.
The Convention proceeded to consider the resolution proposed by him on yesterday, and ordered to lie on the table. And the same being read again, in the words following, towit,

"Resolved that a Committee of nine Members be appointed to prepare and report to the Convention a Constitution or form of government for the State to be formed in the western part of the Mississippi Territory.

Mr Poindexter modified said resolution by stricking out
the word nine.

On motion of Mr. Mead & seconded.
Resolved that the several resolutions heretofore submitted on the subje
of appointing Committees to prepare & report a Constitution, be for
with refered to a Committee of the whole.

And the question thereon being taken it was resolved in
the affirmative.—

Whereupon the Convention resolved itself into a Committee
of the whole on the several resolutions offered on the subject of
appointing Committees to prepare and report a Constitution to the
Convention. Mr Steele in the chair. And after some time
spent therein. Mr President resumed the Chair & Mr Steele
reported that the committee had according to order had said
Resolutions under Consideration, and had made an Amendment to
the resolution submitted by Mr. Poindexter on yesterday, by
filling up the blank with the word twenty to which resolution &
amendment they desire the Concurrence of the Convention.

And the question thereon being taken it passed in the affirmative.—

Mr Lattimore offered the following Amendment to the
report of the Committee of the whole towit, "And that one memb
at least of said Committee be from each county."

And the question being taken on said amendment it
was passed in the affirmative.—

Mr. Rankin offered the following additional amendme
towit, "of which a sub Committee of five members shall be appoin-
ted on the subject of the (Judiciary) department; four members
on the Legislative department, five members on the Executive
department, and five members on a Committee of the subjects
not properly comprised under the several departments of the
government, which Committees shall chuse their chairman &
meet for the purpose of making to the Convention a general
report.

On the question being taken on the adoption of the amendm
It was passed in the negative.

On Motion of Mr Poindexter and seconded.
That the Convention now adopt the resolution as amended.
It passed in the affirmative

Whereupon in pursuance of said resolution the

the following committee were appointed, towit,

Messrs.

Poindexter	Minton
Simpson	Runnells
Leake	Ford
Shaw	Mead
Rankin	Jourdan
Wilkins	Burnet (Claiborne)
Downs	Patton
West	McCoy
Lattimore	Pelbo
Hanna	Brandon

Mr. Mead offered the following resolution

Resolved that the Secretary of this Convention be and he is hereby authorized to employ one or two assistants or Clerks to aid him in the duties of his office, whose duties shall commence from and after the fourteenth instant.

On motion of Mr. Mead & seconded ordered that said resolution lie on the table.

On motion of Mr. Poindexter & seconded, ordered that this Convention do adjourn till nine Oclock to morrow.

Friday 11th July 17

The Convention met pursuant to adjournment

Mr. Lattimore called for the order of the day on the report of the Committee appointed to prepare and report rules for the Government of the Convention.

And on motion of Mr. Lattimore and seconded.

The Convention resolved itself into a committee of the whole on said report. Mr. Barnes in the chair." And after some time spent therein, Mr. President resumed the Chair, and Mr. Barnes reported that the Committee had according to order had said report under consideration, and made an amendment therein to which report & amendment they desired the Concurrence of the Convention.

And the question being taken thereon it was determined in the affirmative

The Question was then taken on the Concurrence of said report as amended.

And it passed in the affirmative

On motion of Mr. Lattimore and seconded ordered that said report be engrossed and read a third time today.

The said report being engrossed it was read a third time in the following words, towit.

Standing Rules and Orders.
For Conducting Business
In the Convention

Touching the Duties of the President

1st The President shall take the Chair every day at the hou to which the Convention shall have adjourned on the preceding da Shall immediately Call the members to order and on the appea of a quorum Shall Cause the Journals of the Preceding day to be read.

2d He shall preserve decorum and order; may Speak to Points order, in preference to other members, rising from his seat for that purpose, and shall decide questions of order, subject to an appeal to the Convention by any two members, on which appeal no member shall Speak more than once, unless by leave of the Convention. He shall rise to put a question, but may state it sitting.

3d Questions may be distinctly put in this form, towit: "As many as are of opinion that (as the question may be) say aye." An after the affirmative Voice is Expressed, "As many are of a Contrary Opinion say No." If the President doubts or a division be called for, the Convention shall divide; those in the affirmati of the question shall first rise from their seats, and afterwards those in the negative.

4th The President shall have a general direction of the Convention. He shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

5th Any Member may Call for the statement of the questio which the President may give sitting.

6th The President with five members shall be a Sufficient Number to adjourn, twelve to Call a House and send for absent Members; and a majority of the whole number be a quorum to proceed to business.

7th When a member is about to Speak in debate, or deliver any Matter to the Convention, he shall rise from his seat and respectfully address himself to Mr. President.

8th If any member, in speaking, or otherwise transgress the rules the President shall, or any member may, call to order, in which case the member so called to order shall immediately sit down unless permitted to explain; and the Convention shall if applied to, decide on the case, but without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed: if otherwise, and the case require it, he shall be liable to the censure of the Convention.

9th When two or more happen to rise at the same time: the President shall name the person who is first to speak.

10th No member shall speak more than twice to the same question without leave of the Convention.

11th Whilst the President is putting a question, or addressing the Convention, none shall walk across the room; nor when a member is speaking enter on private discourse, or pass between him and the Chair.

12th No member shall vote on any question, who was not present when the question was put, without leave of the Convention.

13th Upon calls of the Convention for taking the yeas and nays on any question, the names of the members shall be called alphabetically, and each member may answer from his seat.

14th Any two members shall have a right to call for the yeas and nays on any question.

15th When a motion is made and seconded, it shall be stated by the President, or being in writing, shall be read aloud by the Secretary, and every motion shall be reduced to writing if the President or any member request it.

16th Any member may call for a division of the question, where the sense will admit of it.

17th Each member shall particularly forbear personal reflections nor shall any member name another in argument or debate.

18th After a motion is stated by the President, or read by the Secretary it shall be deemed in possession of the Convention, but may be withdrawn at any time before the decision or amendment.

19th When a question is under debate no motion shall be received but to adjourn, to postpone to a day certain, to lie on the table, for the previous question, to postpone indefinitely to commit or amend, which several motions shall have precedence in the order they stand arranged.

20th. A motion to adjourn shall always be in order, and shall decided without debate.

21st. The Previous Question shall be in this form. "Shall the main Question be now put?" It shall only be admitted when demanded by one third of the members present, and until it is decided shall preclude all amendments and further debate of the main question — on a previous Question there shall be no debate.

22nd. In taking the sense of the Convention, a majority of the votes of the members present shall govern.

23d. No resolution, section or article in the Constitution shall be finally concluded and agreed upon until the same shall have been read on three several days unless a majority of two thirds may think it necessary to dispense with this rule. which vote shall be decided without debate.

24th. The Convention shall resolve itself into a Committee of the whole when deemed necessary, and when in Committee of the whole shall be governed by the foregoing rules, except that in Committee of the whole any member may speak as often as he may think proper.

25th. The President shall appoint Committees liable to addition or amendment on the motion of any member, unless otherwise directed by the Convention.

26th. On all questions when the yeas and nays are demanded the President shall vote.

27th. No member shall absent himself from the service of the Convention, unless he have leave, be sick and unable to attend.

28th. Upon a call of the Convention the names of the members shall be called over by the Secretary — And the absentees without leave noted, one hour after which the names of the absentees shall again be called over, and those from whom no excuse, or an insufficient excuse is made, may by order of those present, if twelve in number be taken into custody as they appear, or may be sent for and taken into custody where to be found by the door keeper.

29th. When a member shall be discharged from custody, and admitted to his seat, the Convention shall determine whether such discharge shall be with or without paying fees; and in like manner when a delinquent member taken into custody by a special messenger shall or shall not be liable to defray the expense of such special messenger.

Committees — their duty.

30th " It shall be the duty of the Committee of Elections to Examine and report upon the certificates of Elections or other Credentials of the members returned to serve in this Convention and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come in question and be referred to them by the Convention

31st. No Committee shall sit during the sitting of the Convention without special leave.—

32nd " The Secretary of the Convention shall take and oath to be administered by the President for the true and faithful discharge of the duties of his office to the best of his knowledge and abilities: It shall be his duty to keep and preserve all records and papers introduced and submitted to the consideration of the Convention, to furnish such papers as may be committed, with the names of the members that compose such Committee to the Chairman thereof and in all things to perform his duty as Secretary of this Convention under the direction of the President.

33d. All questions relating to the priority of Business to be acted on, shall be decided without debate.

Of Committees of the whole Convention

34th. In forming a Committee of the whole Convention, the President shall leave his chair, and a Chairman to preside in Committee shall be appointed by the President

35th " Upon Propositions Committed to a Committee of the whole Convention, the Proposition shall be first read throughout by the Secretary, and then again read and debated by Clauses, leaving the Preamble to be last considered; the Body of the Proposition shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Secretary on a seperate paper, as the same shall be agreed to by the Committee, and so reported by the Convention— after report the Proposition shall again be subject to be debated and amended by Clauses before a question to engross it, be taken.

36th. All amendments made to an original motion in Committee shall be incorporated with the motion, and so reported

37th. All questions in Committee of the whole, shall be propounded in the order in which they were moved, except that in filling up Blanks, the largest sum and the longest time shall be first put.

On motion of Mr. Poindexter and Seconded;
Ordered that one hundred Copies of said rules and orders be prin
for the use of the Convention.

On motion of Mr. Poindexter and Seconded
Resolved that the Committee appointed to prepare and report a Constitution and State government to the Convention, be and they are hereby authorized to employ a Clerk to said Committee, who shall be allowed such Compensation as shall be deemed rea-sonable by the Convention.

The question thereon being taken. It paſsed in the affirmative

On motion of Mr. Poindexter and Seconded.

Resolved that a Committee be appointed to prepare and report to the Convention a memorial to the Congreſs of the United States praying an extension of the Boundaries of the State to be formed in the western part of the Miſsiſsippi Territory

And the question thereon being taken it paſsed in the affirmative. Whereupon

Mr. Poindexter Dickson
" Davis Gray
" Turner Torrance
" Barnes

were appointed accordingly

On motion of Mr. Shaw and Seconded Resolved that an additional member be added to the Committee appointed yesterday for the purpose of preparing and reporting to this Convention the plan of a Constitution.

And the question thereon being taken it paſsed in the affirmat
Mr. McNabb was appointed accordingly.

On motion of and Seconded
Ordered that Louis Winston now qualify to the faithful performan of his duty as Secretary of the Convention.

Which was accordingly done.

On motion of Mr. Turner and Seconded.

Resolved that when the Convention adjourn it shall adjourn until next to give time to the Committee appointe to prepare the plan of a Constitution & to make their report.

And the question thereon being taken it paſsed in the affirmative

Mr. Turner then moved to fill up the blank with the word "Tuesday"

And the question thereon being taken it paſsed in the Negative
Mr. Poindexter moved and was Seconded that the blank be filled up with the word "Thursday"

And the question thereon being taken it paſsed in the affirmative
The yeas and nays being demanded by Mr. Turner and Mr. Wilkins two of the Members Present.

Those who Voted in the affirmative are

Mr. President
" Brandon
" Barnes
" Batchelor
" Bibb
" Downs
" Dickson
" Glaſs
" Gray
" Igor
" Jourdan
" Knox
" King
" Leake

Mr. Lattimore
" Minton
" McLaughlin
" McNeil
" McLeod
" Poindexter
" Rankin
" Runnels
" Simpson
" Seſsions
" Steele
" Shaw
" Scott. 27.

Those who voted in the Negative are.

Mr. Burnet (of Claiborne)
" Balch
" Burton
" Burnet (of Hancock)
" Clark
" Davis
" Ford
" Hanna
" Johnson
" Mead.

Mr. McKay
" McNabb
" Patton
" Taylor
" Turner
" Torrence
" Wilkins
" Williams
" Wilkinson
" West 20

On motion of Mr. Poindexter and Seconded,
Resolved that the Standing hour to which the Convention shall adjourn be Eight oclock A.M.

And the question thereon being taken it paſsed in the Affirmat
On motion of Mr. Davis and Seconded.
Resolved that when this Convention adjourn they adjourn to meet at Natchez

The question being taken it paſsed in the Negative.

On motion of Mr Clark and seconded.
Ordered that this Convention do adjourn till Thursday the 19 Instant.

Thursday 19th July 1817.

The Convention met pursuant to adjournment &c
Mr Poindexter from the Committee appointed on Thursday last "to prepare and report a Constitution to the Convention —
Made a report, which was received, and being read, was Committed to a Committee of the whole and made the order of the day on monday next. —

Mr Poindexter moved and was seconded —
That fifty Copies of said report be printed for the use of the Convention —

The question being taken thereon it passed in the Negative —

Mr Lattimore then moved and was seconded —
That one hundred Copies of said report be printed for the use of the Convention. —

The question thereon being taken it passed in the Affirmati
On motion of Mr Taylor and seconded. —
Resolved that when this Convention adjourn it shall adjourn until monday next —
The question being taken thereon it passed in the Affirmative
On motion of Mr Taylor and seconded
Ordered that this Convention do now adjourn until Monday the 21st Instant —

Monday July 21st 1817.

The Convention met pursuant to adjournment -
Mr Poindexter called for the order of the day on the report of the Committee appointed to prepare and report a plan of a Constitution to the Convention —
On motion of Mr Poindexter and seconded the Convention resolved itself into a Committee of the whole on the report of the Committee appointed to prepare and report a plan of a Constitution to this Convention. Mr Burnet (of Claiborne) in the Chair and after some time spent therein Mr President resumed the Chair. and Mr Burnet reported that the Committee had according to order had said report under

under Consideration and not having time to go thro' the Same had directed him to ask for leave to sit again

On motion of Mr Mead and Seconded. Ordered that when this Convention adjourn it will adjourn until three Oclock this evening.

On motion of Mr Mead and Seconded ordered that this Convention now adjourn till three Oclock this evening.

3 Oclock. P. M.

The Convention met pursuant to adjournment

The Convention again resolved itself into a Committee of the whole on the report of the Committee appointed to prepare and report a plan of a Constitution. Mr Burnet (of Claiborne) in the Chair, & after some time spent therein Mr President resumed the Chair and Mr Burnet reported, that the Convention had according to order had said report under Consideration, and made some progress therein, but not having time to go thro' the same, had directed him to ask for leave to sit again; which was granted—

On motion of Mr Turner and Seconded. —

Ordered that the Committee of accounts cause to be provided as soon as practicable a sufficient additional Number of Chairs & Tables for the use of the Convention—

On motion of Mr Turner and Seconded.

Ordered that the Convention do now adjourn until tomorrow Morning—8 Oclock.

Tuesday 22nd July 1817.

The Convention met pursuant to adjournment.

On motion of Mr Poindexter and Seconded, the Convention resolved itself into a Committee of the whole on the report of the Committee appointed to prepare and report a plan of a Constitution &c Mr Burnet (of Clai) in the Chair and after some time spent therein Mr President resumed the Chair and Mr Burnet reported that the Committee had according to order had said report under Consideration, had made some progress therein but not having sufficient time to go thro' the Same had directed him to ask for leave to sit again. which was granted

On Motion of Mr Poindexter & Seconded. The Convention again resolved itself into a Committee of the whole on the report of the Committee appointed to prepare and report a plan of a Constitution. Mr Barnes in the chair and after some time spent therein, Mr President resumed the Chair, & Mr Barnes reported, that the Committee had according to order had said report under Consideration, had made some Progress therein, but not having time to go through the same, had directed him to ask for leave to sit again which was granted-

On motion of Mr. Poindexter and seconded ordered that the convention adjourn untill 4. Oclock P. M.

4. Oclock P. M.

The convention met pursuant to adjournment.

On Motion of Mr Poindexter and seconded, The Convention resolved itself into a Committee of the whole, on the report of the Committee appointed to prepare and report a plan of a constitution. Mr Hanna in the Chair, and after some time spent therein. Mr President resumed the Chair, & Mr Hanna reported that the Committee had agreeable to order had said report under Consideration, had made some Progress therein, but not having time to go through the same, had directed him to ask for leave to sit again which was granted-

On motion of Mr Turner and seconded ordered that the Convention do now adjourn till tomorrow morning-

Wednesday 23d July 1817.

The Convention met pursuant to adjournment &c

On motion of Mr Poindexter and seconded. The convention Resolved itself into a committee of the whole on the report of the Committee appointed to prepare & report a plan of a Constitution, Mr Hanna in the chair and after some time spent therein Mr President resumed the chair & Mr Hanna reported. that the Committee had according to order had said report under Consideration had made some Progress therein; and had directed him to ask for leave to sit again which was granted-

Mr Minton offered the following proposition as a section in the Constitution which was recd. towit,

"The House of representatives shall be composed of members from all the Counties which now are or hereafter may be included within this State according to their numbers of free white persons. The general assembly shall at their first meeting & in the year Eighteen hundred and twenty. and in not less than three or more than every five years thereafter cause an enumeration to be made of all the free white persons of this state & the whole number of representatives, shall at the several periods of making such enumeration be fixed by the general assembly and apportioned among the several Counties, Cities, or Towns according to the number of free white persons in each County containing three thousand persons agreeably to the foregoing plan of enumeration shall be entitled to two representatives seven thousand to three representatives and twelve thousand to four representatives, but each County shall have at least one and not more than four representatives -

Ordered to lie on the table -

On motion of Mr Lattimore and seconded; Ordered that sixty copies of said proposition be printed for the use of the Convention -

Mr Barnes then offered the following proposition, towit:

Section 6th

The general assembly shall in the year one thousand eight hundred and twenty & in every five years thereafter, cause an enumeration to be taken, and the whole number of representatives, shall at the several periods of taking such enumeration be fixed by the general assembly, and apportioned among the several Counties & Towns according to the number of free white persons including three fifths of the people of colour (Indians not taxed excepted) The whole number of representatives shall not be less than twenty eight nor more than forty two, until the population shall amount to one hundred thousand, and after that the whole number of representatives shall never be less than forty two nor more than one hundred, Provided that each County shall have at least one representative & not more than four representatives -

Which was ordered to lie on the table.

On motion of Mr Lattimore & seconded, Ordered that sixty copies of said proposition be printed for the use of the Convention

On motion of Mr Clarke and seconded, Ordered that the Convention do now adjourn -

Thursday 24th July 1817

The Convention met pursuant to adjournment.

Mr Lattimore offered the following resolution towit,

Every person who shall after the first day of September 1817 be concerned in fighting a duel, or in offering, bearing or accepting a challenge to fight a duel shall be disqualified forever thereafter, from holding any office or place of profit honor, or trust in this State, whether the duel be fought

or the Challenge be offered, from or accepted in this State, or elsewh
or whether the person or persons so concerned shall at the time of fighting the duel, or of offering Bearing or accepting the challenge reside in this State or elsewhere—

Members of the General Assembly and all officers executive and Judicial, before they enter ~~on~~ the execution of their respective offices, Shall take and Subscribe the following oath or affirmation "I Solemnly swear (or affirm) that I will Support the Constitution of the United States; and the Constitution of the State of Mississippi so long as I continue a Citizen thereof, that I will faithfully discharge to the best of my abilities the duties of according to law, and that since the first day of September 1817. I have not been, & that during my Continuance in office; I will not be concerned in fighting any duel, or in offering, bearing or accepting a Challenge, to fight a duel in this State or elsewhere"; which was read and ordered to lie on the table. &c

On motion of Mr Lattimore & seconded. The Convention resolved itself into a Committee of the whole on the report of the Committee appointed to prepare and report a plan of a Constitution to the Convention. Mr Balch in the Chair, and after some time spent therein Mr President resumed the Chair & Mr Balch reported, that the Committee had according to order, had said report under Consideration, had made some progress therein, but not having time to go through the same, had directed him to ask for leave to sit again. Which was granted.

Mr Poindexter offered the following proposition as a substitute for the sixth section in article third, contained in the report of the Committee appointed to prepare and report a plan of a Constitution for the Convention, to wit, "The general assembly shall at their first meeting, in the year one thousand eight hundred & twenty cause an enumeration to be made of all the free white persons in this State, including three fifths of the People of Colour & Slaves & the whole number of representatives, shall be apportioned among the several Counties, according to the number of free white persons including three fifths of the People of colour & Slaves in each; and within every three nor more than every five years after the year Eighteen hundred and twenty, the general Assembly shall cause an enumeration to be taken of all free white persons within this State, and thereafter the whole number of senators & representatives shall at the several periods of making such enumeration be fixed by the general Aſsembly and apportioned among the several Counties according to the number of free white Persons in each. allowing one representative for every number of free white Persons. and one Senator for every number of free white persons. Provided that each County shall always be entitled to at least one representative and one Senator until the first enumeration after the year Eighteen hundred and twenty. and no County shall be entitled to more than four representatives. And provided also that the whole number of representatives, that the whole number of representatives shall not be leſs than twenty Eight nor more than forty two, untill the number of free persons in this State shall amount to after which the whole number of representatives shall never be leſs than forty two nor more than one hundred.

On motion of Mr Poindexter and Seconded, ordered that said proposition lie on the table -

Mr. Burnet (of Claiborne) offered the following proposition as a substitute for the Sixth section of 3d article in the report of the committee appointed to prepare and report a plan of a Constitution to the Convention, towit. The general Aſsembly shall in the year one thousand Eight hundred and twenty, & in every five years thereafter, Cause an enumeration to be made of all the free white Inhabitants in this State, & Representation and Taxation shall be as nearly equal as may be, & shall be apportioned among the several Counties and Towns, entitled to representation, which is and may be included in this State. which shall be determined by the general aſsembly at the several periods of taking the enumeration by adding to the whole number of free white persons in Each County or town the amount of state tax paid in each year preceding such apportionment the whole number of representatives shall not be leſs than twenty Eight nor more than forty two untill the free white population shall amount to one hundred thousand, and after that period, the whole number of representatives shall never be leſs than forty two nor more than one hundred, provided that each County shall have at least one & not more than four representatives.

On motion of Mr. Burnet (of Claiborne) & Seconded, ordered that said proposition lie on the table -

Mr. West offered the following proposition as a substitute for the 6th section in 3rd article in the report of the Commi[illegible] appointed to prepare and report a plan of a Constitution to the Convention Towit,

Section. Within years after the first meeting of the Genl. Assembly & within every subsequent term of years an enumeration of the free whi inhabitants shall be made in such manner as shall be directed by law The number of representatives shall at the several periods of making such enumeration be fixed by the Legislature and apportioned among the several Counties and Election districts according to the number of such free white persons in each, and shall never be less than nor more than Provided that each County shall have at least one representative — But no County hereafter erected shall be entitled to a separate representation untill a sufficient number of free white persons shall be contained therein to entitle it to one representative, agreeably to the ratio which shall be established—

On motion of Mr. West & seconded, ordered that sd. proposition lie on the table—

On motion of Mr. Mead and seconded, Resolved that a select Committee of seven be appointed to take into consideration the several amendments and propositions to the sixth section of the third article in the plan of the constitution, and that they likewise report on the subject of the senatorial representation—

And the question thereon being taken it passed in the affirmative Whereupon the following gentlement were appointed accordingly towit,

Mr. Lattimore — Mr. Burnet
" Poindexter — " West
" Minton — " Patton
& Johnson.

On motion of Mr. Mead and seconded, ordered that when this Convention adjourn, they adjourn until four OClock P.M.

4 OClock P.M

The Convention met according to adjournment—

Mr. Lattimore from the Committee appointed to take into consideration the several amendments and propositions to the sixth section of the third article in plan of the Constitution made the following report.

The Committee to whom were referred the several propositions to amend the sixth section of the third article of the plan of the Constitution and the subject of the senatorial representation have considered the same but cannot agree to recommend the adoption of either of them or of any other proposition on the subject to which they relate—

On motion of Mr Lattimore and Seconded. Ordered that the Committee be discharged from the further Consideration of the Subjects refered to them, And the Committee were accordingly discharged &c.

On motion of Mr Lattimore and Seconded, the Convention resolved itself into a Committee of the whole on the report of the Committee appointed to prepare and report a plan of the Constitution, Mr Balch in the Chair, and after some time spent therein, Mr President resumed the Chair and Mr Balch reported that the Committee had according to order had said report under Consideration but not having time to go through the same had directed him to ask for leave to sit again Which was granted —

On motion of Mr Taylor and Seconded, ordered that the Convention do now adjourn until tomorrow morning -

Friday 25th July 1817

The Convention met pursuant to adjournment.

On Motion of Mr Poindexter and Seconded. Resolved that the Secretary be directed to furnish the Printer, employed in the Service of the Convention, with a copy of the Journals for publication—

The question being taken thereon It passed in the affirmative

Mr Dickson moved and was Seconded.— That the Convention do now proceed to consider the resolution introduced by Mr Turner on the Second day of the Convention resolving it expedient at this time to form a Constitution and State government for the People of the western part of the Mississippi Territory-

And the question being taken on the Consideration of said motion, it passed in the affirmative-

The question then being called for on said Motion and the yeas and Nays being demanded, by Mr Johnston and Mr Mead, two of the Members present.

On Motion of Mr Latimore & Seconded

Ordered that the Convention do now adjourn until tomorrow.

Saturday 26th July 1817

The Convention met pursuant to adjournment; Mr. Latimore offered the following Resolution to (Wit) Resolved that the words "a male, and the word" above the age of twenty one years in the third & fourth line of the sixth Section of the third article of the plan of the Convention be stricken out —

Resolved that the fifth Section of the Shedule be so amended; as to allow to the Counties of Warren, Claiborne, Jefferson, Adams, Franklin, Wilkinson and ~~[illegible]~~ Amite four Senators; and to the Counties of Pike, Lawrance, Marion Hancock, Wayne Green & Jackson four Senators, for three years from the first Election of Members of the General Assembly.

The question being taken on the Consideration of said Resolution & the the Yeas and Nays being demanded, by Mr Turner. & Mr   two of the Members Present ~~they [illegible] voted in the affirmative~~; are

Those who voted in the affirmative are
Mr President
Mr. Barnes.
" Burnett of Claiborne
" Burnett of Hancock
" Clark.
" Downs.
" Glap.
" Hanna.
" Kinos.
" King.
" Leak.
" Latimore
" McNabb
" Poindexter
" Rennills
" Simpson
Mr. Sessions
" ~~Stark~~
" Tarrance
" Turner
and " Wilkinson 21.

Those who voted in the Negative were

Mr Balch.
" Brandon,
" Batchelor,
" Burton.
" Bilbo,
" Davis.
" Dickson.
" Forde,
" Gray,
" Joor,
" Johnson,
" Jordon

Mr Mead
" Minton
" McLaughlin
" McKay
" McRea
" McLead
" Patton
" Rankin
" Scott
" Taylor
" Watkins
" Williams &
" West . . . 25

The Convention then proceeded to the decision of Mr. Dicksons Motion introduced on Yesterday, for the reconsideration of Mr Turners resolution declaring it expedient at this time to form a Constitution and State Government for the people in the Western part of the Mississippi Territory.

And the question thereon being taken those who voted in the affirmative are

Mr Balch,
" Brandon,
" Batchelor,
" Bilbo,
" Davis,
" Dickson,
" Forde
" Gray
" Joor,
" Johnson,
" Jourdan

Mr Mead
" Minton
" McLaughlin
" McRea
" McKay
" Leake
" Patton
" Poindexter
" Scott
" Williams &
" West. Ayes 23.

Those Who voted in the negative are

Mr President
" Barnes
" Burnett of Claiborne

Mr Burnet of Hancock
" Clark
" Downs

Mr Glass,	Mr McNabb,
" Hanna,	" Rankin
" Knox,	" Runnels
" King,	" Simpson
" Leak	" Spears
" Lattimore	" Steel
" Taylor	" Torrance
" Turner	" Wilkins &
	" Wilkinson Noes 23

On motion of Mr Wilkins & seconed ordered that the convention now adjourn until monday next.

Monday 28th July 1817 The convention met pursuant to adjournment.
Mr Turner offered the following Stan.
Standing Rules (towit, 28th When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof — provided such motion be made on the day succeeding the decision of such question.
39th No Standing Rule shall be altered or rescinded on the day it may be addopted without the concurrance of two thirds of the members of the convention, nor afterwards without one days notice, which was ordered to lie on the Table
On Motion of Mr Lattimore and second the convention, Resolved itself into a committee of the whole on the report of the committee appointed to prepare and report a plan of the constitution. Mr Brandon in the Chair and after some time spent therein. Mr President resumed the Chair and Mr Brandon reported that the committee had according to order, had said Report under consideration, had made some progress therein but not having time to go through the same had directed him to ask for leave to sit again which was granted.

On motion of Mr Turner & Seconded Ordered that this Convention adjourn until four OClock P.M.—

Four oclock P.M. the Convention met according to adjournment. On motion of Mr Dickson and Second Resolved that for the high regard entertained of the meritorious Services Rendered by the Squadron of Cavalry engaged in the defence of New Orleans, that the late commander of the same be invited to a seat in the bar of this house, and also the officers of the General Government within this Territory not Members of this house; The question being taken thereon it passed in the affirmative.

The convention then Resolved itself into a Committee of the whole on the Reports of the committee appointed to prepare and Report a plan of a Constitution. Mr Brandon in the Chair and after some time spent therein Mr President Resumed the Chair and Mr Brandon Reported that the Committee had according to order, had said report under Consideration, had made some progress therein, but not having time to get through the same, had directed him to ask for leave to sit again Which was granted.

On motion of Mr Poindexter and Second ordered that the convention do now adjourn

Tuesday 29th July 1817

The Convention met according to adjournment Mr Turner Called for the additional Rules for the Government of the Convention introduced by himself on yesterday, which being Read were adopted, with the following amendments, (to wit) (and not after) at the end of the 38th Section. On Motion of Mr Poindexter and Second. the Convention Resolved itself into a Committee of the whole on the Reports of the Committee appointed to prepare and Report a plan of the Constitution, Mr Brandon in the Chair and after some time spent therein Mr President Resumed the chair. and Mr Brandon Reported that the committee had according to Order had said Report under Consideration, had made some progress therein but not having time to go through the same, had directed him to ask leave to sit again. Which was granted. On motion of Mr Patton Secon Ordered that the Convention do now adjourn

Wednesday 30th July 1817

The convention met persuant to adjournment On motion of Mr Poindexter and Seconded. The convention Resolved itself into a committee of the whole on the Reports of the Committee appointed to propose and Reporte a plan of the Constitution Mr Brandon in the Chair and after some time spent therein, Mr President resumed the Chair, and Mr Brandon Reported, that the Committee had according to order, had said Report under Consideration, had made some progress therein but not having time to go through the same, had directed him to ask for leave to sit again which was granted

On motion of   and Seconded. Order that when this Convention adjourn it will adjourn until Four OClock P.M.

Four OClock P. M

The convention persuant to adjournment On motion of Mr Bunnels and Second, the convention Resolved itself into a committee of the whole on the Reporte of the committee appointed to prepare and report a plan of the Constitution. Mr Brandon in the Chair and after some time spent therein, Mr President Resumed the Chair. and Mr Brandon Reported. that the Committee had according to order had said Report under Consideration, had made some progress therein but not having time

to go through the same, had directed him to ask for leave to sit again, which was granted
On motion of Mr Runnels and Seconded
Ordered that the Convention do now adjourn until tomorrow

Thursday 31th July 1817

The Convention met according to adjournment
On motion of Mr Poindexter Seconded, the Committee according to the order of the day again resolved itself into a Committee of the Whole, on the Report of the Committee appointed to report a plan of the Constitution, and after some time spent therein Mr President Resumed the Chair, and Mr Wilkins reported that the Committee, had according to order the said Report again under Consideration, and had made further progress therein, but not having time to go through the same, had directed him to ask for leave to sit again, which was granted
Resolved that the Convention will again resolve itself into a Committee of the whole house on the said report. On Motion the Convention adjourned until half past 3 O clock. P.M.

Half past 3 O Clock. P.M. Thursday 31 July 1817

The convention met according to adjournment
On motion the Convention resolved itself into a committee of the whole, on the report of the Committee appointed to prepare and report a plan of a Constitution, and after some time spent therein. Mr President resumed the Chair and Mr Wilkins reported that the committee had according to order, had the said report under Consideration, and had made further progress therein, and not having time to go through the same, had directed him to ask for leave to sit again. which was Granted.

Resolved that the Committee will again resolve itself into a Committee of the whole on the said Report— On Motion the Convention adjourned until tomorrow morning 8 OClock

Friday 1st. August 1817

The Convention met according to adjournm
On motion of Mr Poindexter and seconded the Convention according to the order of the day again resolved itself into a Committee of the wh on the Report of the Committee appointed to report a plan of the Constitution and State Government and after some time spent therein, Mr Presid resumed the Chair and Mr Wilkins reported th the Committee had according to order, had the said Report under consideration, but not having time to go through the same, had directed him to ask for leave to sit again, which was Grante
Ordered that when this Convention adjourn it will adjourn until 4 OClock P.M.
Ordered that the Convention do now adjourn until four OClock P.M.

4 OClock P. M

The Convention Met pursuant to adjournm when Mr President announced to the Convention the death of Doctr John Shaw a member of this Convention from the County of Franklin
On Motion of Mr Turner and second Resolved Unanimously that in Testimony of the high Respect which the Members of this Convention entertain for the memory of Doctor John Shaw late a member thereof from the County of Franklin deceased, they will attend his funeral on tomorrow, and will wear Crape on the left arm during the remainder of the session.

Resolved that when the Convention adjourn, it will adjourn until monday next, and the Convention then adjourned until monday next

Monday 4th August 1817

The Convention met according to adjournment
On motion of Mr Rannels and seconded. Ordered that Mr Ford have leave of absence the ballance of the session—

On motion of Mr Poindexter & Seconded. The Convention according to the Order of the day again resolved itself into a Committee of the whole, on the report of the committee appointed to report a plan of a Constitution and State Government, and after some time spent therein Mr President resumed the Chair and Mr Hanna reported that the Committee had according to order, had the said report under consideration had made sundry amendments thereto, which he handed in at the secretarys Table.

On motion of Mr Poindexter and Seconded Ordered that the said report as amended lie on the table.

On motion the Convention adjourned until three oclock P. M.

3 Oclock P. M.

The Convention met pursuant to adjournment
On motion of Mr Poindexter. & Seconded. Resolved that the Convention, do now proceed to consider the amendments as reported from the Committee of the whole, made to the plan of a Constitution & State Government,

Mr Mead moved and was seconded to recommit to a select committee the 5th Section of the Schedule in the plan of a or the forming the Constitution as reported; And the question thereon being taken it was determined in the negative, the yeas and nays being demanded by two of the members present those who voted in the affirmative are—

Mr President — Mr Glass
" Balch — " Johnson
" Burton — " Pinson

Mr Mead
" Lipsons
" Taylor
" Turner

Mr Torrance
" Wilkins
" Williams &
West. Yeas 14

Those who Voted in the negative are

Mr Barnes
" Burnett of Claiborn
" Brandon.
" Batchelor
" Burnett of Hancock
" Bilbo.
" Dickson
" Gray,
" Hanna
" Laurdon
" King
" Leak
" Lattimore

Mr Minton,
" McLaughlin,
" McLeod,
" Mc Nabb,
" Patton
" Poindexter
" Rankin
" Runnels
" Steel and
" Wilkinson.
Nays 23

Mr Burnett (of Claiborn, called up the resolution offered some time since by Mr Mead to authorize the Secretary to employ an assistant Secretary and the question being taken thereon it passed in the affirmative,

On Motion of Mr Mead and Second. Resolved that the duties of the assistant Secretary Commence from and after the fourth of August inclusive

Preamble

The several amendments made in the committee of the whole to the Preamble to the plan of the constitution, being Read at the Secretarys table and the question being taken, will the convention concur in said amendments It was Resolved in the affirmative.

A motion was made by Mr Mead and Seconded to strike out the word Mississippi, in the Second line in the Preamble, and insert in lieu thereof the Word Washington, and the question being taken thereon It was determined in the Negative; The yeas and Nays being Called for by two Members present.

Those who voted in the affirmative are

Mr Balch
Mr Burton

Mr Bibbs
" Dickson
" Gray
" Johnson
" King
" Mead
" McRea

Mr McLeod
" McNabb
" Poindexter
" Runnels
" Wilkins
" Williams
" Wilkinson &
" West. yeays 17

Those who voted in the negative are

Mr President
" Barnes
" Burwell of Claiborne
" Brandon
" Batchelor
" Burwell of Hancock
" Davis
" Glass
" Hanna
" Jourdon
" Knox
" Leak

Mr Latimore
" Minton
" McLaughlin
" Patton
" Rankin
" Simpson
" Lipscomb
" Stith
" Taylor
" Turner
" Torrance
Nays 23.

Declaration of Rights

The amendments to the declaration of Rights made in Committee of the whole being read at the Secretary's table, and the question being taken will the Convention concur in the said amendments; It was Resolved in the affirmative.

The amendments to the 3rd Section being read were Concurred in

Mr Leak moved and was seconded, to disagree to the amendments made by the Committee of the whole to the 5th Section as to the words except in Cases provided for in this Constitution. And the question being taken, will the convention Concur in said amendments. It was Resolved in the affirmative.

The yeas and Nays being Called for by two of the members present.

Those who voted in the affirmative are

Mr President
" Barnes
" Burnett of Claiborn
" Batchelor
" Bilbo
" Dickson
" Glass
" Johnson
" Jourdon
" King
" McLaughlin

Mr McRea
" McLeod
" McNabb
" Patton
" Poindexter
" Runnels
" Stephens
" Taylor
" Wilkins
" Wilkinson
Yays 21

Those who voted in the Negative are

Mr Balch
" Brandon
" Burton
" Burnett of Hancock
" Davis
" Gray
" Hanna
" Kincon
" Leak
" Latimore

Mr Mead
" Minton
" Rankin
" Simpson
" Steel
" Turner
" Torrance
" Williams &
" West,
" Nays 20

A new section No 4 introduced in Committee of the whole being read was concurred in—

The amendments to the 6th Section was also concurred in.

Mr Mead moved and was seconded, that the Convention do reconsider their Vote on the 6th Section.

And the question thereon being taken It was determined in the Negative.

The amendments to the 10th. 15th. & 16th Sections were read and concurred in.

A new section No 28 introduced in Committee of the whole being read, was concurred in.

On Motion of Mr Lattimore and seconded, Resolved that the Words " or assurance) in the second line of the 3rd Section be Stricken out.

Mr Clark moved and was seconded, to Strike out the Words ((the foregoing)) in the second line in the conclusion and insert in lieu thereof the. article,

And the question thereon being taken It was
Resolved in the affirmative

Mr Poindexter moved and was seconded to strike
out the 7th Section and in lieu thereof insert
the following (Viz) Section 7th In prosecutions for
the publication of papers investigating the official
conduct of officers or men in a public capacity
or when the matter published is proper for public
information, the truth thereof may be given
in evidence, and in all indictments for
libels the jury shall have a right to determine
the law and the facts, under the direction of
of the Court as in other Cases.

On motion the Convention adjourned until
8 Oclock tomorrow

Tuesday the 5th August 1817

The Convention met pursuant to adjournment

On Motion of Mr Mead Ordered that Mr Joor
have leave of absence until monday next

The convention proceeded to consider, the amendments proposed on yesterday, by Mr Poindexter
to strike out the 7th Section in the declaration of
Rights, and insert in lieu thereof, the section
produced by the Mover. And the question
thereon being taken It was determined in
the Negative.

Elective Franchise

Mr Simpson moved and was seconded to amend
the amendment, made in the Committee of the
whole to the first Section, by striking out the word
(liable to enrollment). And the question thereon
being taken, It was determined in the negative

Mr Burton Moved and was seconded, to amend
the same amendment, by striking out the
words (and shall be enrolled in the Militia thereof
except exempted by law from Militia service).
And the question thereon being taken.
It was determined in the Negative.

And the question being put Will the convention Concur in the amendments to the first Section.
It was Resolved in the affirmative.
The yeas and Nays being called for by two of the members present.

Those who voted in the affirmative are

Mr Brandon
" Batchelor
" Burton
" Burrill of Hancock
" Bilbo
" Dickson
" Gray
" Johnson
" Jourdon
" Knox
" King
" Lattimore
" Minton

Mr McLaughlin
" McKay
" McRea
" McLeod
" McNabb
" Patton
" Poindexter
" Runnels
" Scott
" Torrance
" Williams D
" Wilkinson
Yeas .. 25

Those who voted in the negative are

Mr President
" Barnes
" Burrill of Claiborne
" Batch
" Clark
" Davis
" Downs
" Hoome
" Leak

Mr Mead
" Rankin
" Simpson
" Steel
" Taylor
" Turner
" Wilkins D
" West
Nays 17

Mr Lattimore moved and was seconded to amend the amendments made in the Committee of the whole to the first Section, (by inserting after the word Vote, these words (For Members of the Assembly and for Sheriffs)
And the question thereon being taken.
It was determined in the negative,
The amendments to the second Section was read and Concurred in.
Mr Poindexter moved and was seconded to amend the amendments made in Committee of the whole to the 3rd Section, to strike out the words

(Shall be Regulated by Law) and insert the following
(shall be Viva Voce) for and during the term of
five years and thereafter, in such manner as
the Legislature shall by Law prescribe)
And the question thereon being taken.
It was determined in the negative.
The yeas and Nays being called for by two of
the members present

Those who voted in the affirmative are

Mr Brandon
" Batchelor
" Bibbs
" Clark
" Davis
" Johnson
" Leak
" Latimore
" Mead

Mr McKay
" McNabb
" Poindexter
" Simpson
" Steel
" Scott
" Torrance
" Wilkinson &
" West yeas 18

Those who voted in the Negative are

Mr President
" Barnes
" Burnett of Claiborne
" Balch
" Burton
" Burnett of Hancock
" Downs
" Dickson
" Gray
" Hanna
" Jourdon
" Knox

Mr King
" Minton
" McLaughlin
" McRea
" Patton
" Rankin
" Runnels
" Taylor
" Turner
" Wilkins &
" Williams
Nays 23

Mr Davis moved and was seconded to amend
the said amendment, by adding the following
proviso; (Provided that in all elections by Ballot the
Voter shall place his name on the back of the ticket)
And the question thereon being taken.
It was determined in the Negative.
And the question being put. Will the Convention
concur in the 3^{d} section as reported by the Committee of the whole.
It was Resolved in the affirmative.

Mr Burnitt moved and was seconded, to amend the amendment, to the 1st Section by adding after the word (Service) the following words; or having the aforesaid qualifications of Citizenship and Residence, and shall have paid a State or County tax;

And the question thereon being taken.
It was Resolved in the affirmative

Mr Burton moved and was seconded, to amend the 1st Section, by striking out the word 21 and insert the word 18.
And the question thereon being taken.
It was determined in the negative.

Legislative Department

4th Section. Mr Lattimore moved and was seconded, to amend the amendment made in committee of the whole to the 4th Section by striking out the word 22 and insert 24
And the question being taken ~~thereon~~
It was determined in the Negative.
Mr Taylor moved and was seconded to amend the said amendment by inserting the word 23 in place of the word 22.
And the question thereon being taken,
It was determined in the negative.
And the question being put. Will the Convention concur in the amendment to the 4th Section.
It was resolved in the affirmative.

5th Section. Mr Mead moved and was seconded to amend the 1st amendment to the 5th Section by striking out the words (be entitled to) & insert the word "have,"
And the question thereon being taken.
It was resolved in the affirmative, ~~where~~ whereupon the 1st amendment as amended and the 2nd and 3d amendments to the fifth Section being read were concurred in.

~~The amendments to the 9th Section~~
The 1st. 2. 3. and 4th amendments and the amendments to the proviso, to the 6 Section being Read were concurred in.
The amendment to the 9th Section being Read were concurred in.
The 1st. 2 and 3d amendments to the 11th Section being Read were concurred in.
On Motion of Mr Lattimore and seconded Resolved that the words, within the state in the 11th Section be inserted immediately after the words, (in his own right)
The amendment to the 14th Section being Read was concurred in.
The amendment to the 20th Section, being Read and the question being put. Will the Convention concur in this amendment.
It was determined in the negative,
23d Section. Mr Poindexter, moved and was seconded, to amend the amendment to the 23rd Section made in committee of the whole, by striking out the words, (during the term of which he is elected) and inserting these words, (after the commencement of the first session of the Legislature after his election and during the Remainder of the term for which he is elected).
And the question thereon being taken.
It was Resolved in the affirmative,
And the question being put.
Will the Convention concur in the amendment to the 23d Section as amended.
It was Resolved in the affirmative.
The amendment to the 24th and 25th Sections being Read were concurred in.
The amendment to the 27th Section filing the blank with the word (Natchez) being Read and the question being taken, Will the Convention Concur in this amendment
The yeas and nays being Called for by two of the members, and were equal . . . .

Those who voted in the affirmative are

Mr President
" Barnes
" Burnett of Claiborne
" Balch
" Brandon
" Clark
" Davis
" Downes
" Glass
" Johnson
" Leak

Mr Mead
" Poindexter
" Rankin
" Simpson
" Sessions
" Steel
" Scott
" Taylor
" Turner
" Wilkins Jr
" Williams
Yeas 22

Those who voted in the Negative are

Mr Batchelor
" Burton
" Burnett of Hancock
" Bilbo
" Dickson
" Gray
" Hanna
" Jourdon
" Knox
" King
" Lattimore

Mr Minton
" McLaughlin
" McKay
" McRea
" McLean
" McNabb
" Patton
" Runnels
" Torrance
" Wilkinson
" West 22

Mr Simpson moved and was seconded that the convention do adjourn till 4 Oclock this afternoon.
and the question thereon being taken.
It was determined in the Negative; And on motion of Mr Burnett of Claiborne the convention adjourned untill three Oclock P.M.

3 Oclock P.M.

The convention met pursuant to adjournment on motion of Mr Poindexter. Resolved that the convention do now resume the unfinished Business of the morning.
Mr Burnett of Hancock, moved and was seconded to fill the blanks in the 27th section with the word (Shieldsborough or the bay of St Louis)

And the question thereon being taken
It was resolved in the affirmative
The yeas and nays being called for by two
of the Members present.
Those who voted in the affirmative are

Mr Burnett of Hancock
" Bilbo
" Davis
" Dickson
" Gray
" Johnson
" Lowdon
" King
" Leak
" Mead
" Minton
" McLaughlin

Mr McKay
" McRea
" McLeod
" McNabb
" Patton
" Poindexter
" Rankin
" Runnels
" Scott
" Turner
" Wilkins &
" Williams 24

Those who voted in the Negative are

Mr President
" Barnes
" Burnett of Claiborne
" Balch
" Brandon
" Batchelor
" Burton
" Clark
" Downs
" Glass

Mr Hanna
Mr Duncan
" Knox
" Lattimore
" Simpson
" Spears
" Steel
" Taylor
" Torrance
" Wilkinson &
West. 20

Mr Burnett moved and was seconded
To amend the 27th section by striking out
the word (forever)
And the question thereon being taken,
It was resolved in the affirmative.
Mr Wilkinson moved and was seconded
to amend the sixth section by striking
out the word (shall in the first line, to the
end of the second line) and inserting in lieu
thereof these words (and every five years thereafter
adopting however if deemed expedient every other

fifth year, the census taken under the authority of the United States,)

And the question thereon being taken,

It was determined in the Negative,

Mr Barnes moved and was seconded To amend the 7th Section, by adding between the word (Inhabitants, in the 3rd line and the word, in the 4th line; (these words) (And the amount of state Taxes assessed the preceding year.

Mr Leak moved and was seconded that the convention do adjourn

And the question thereon being taken.

It was determined in the Negative.

On Motion of Mr Simpson and seconded the convention adjourned till 8 OClock tomorrow.

Wednesday 6th August 1817

The convention met pursuant to adjournment on Motion of Mr Poindexter Resolved that the Convention do resume the unfinished business of yesterday, the amendment proposed to the 7th Section by Mr Barnes being under consideration

And the question thereon being taken

It was determined in the negative,

The yeas and Nays being called for by two of the members present.

Those who voted in the affirmative are

Mr President
" Barnes
" Burnett of Clai^d
" Brandon
" Clark
" Dawns
" Glaſs
" Johnson
" Leake

Mr Mead
" Rankin
" Simpson
" Seſsions
" Stut
" Scott
" Taylor
" Turner &
" Wilkins 18.

Those who voted in the Negative are

Mr Batchelor
" Burton

Mr Burnett of Hancock
" Bilbo.

Dickson
Davis
Gray
Hanna
Jourdan
Knox
King
Lattimore
Minton
M Laughlin
McKay

McRea
McLeod
McNabb
Patton
Poindexter
Runnels
Torrence
Williams
Wilkinson
West
25

Mr. Mead moved and was seconded to recommit to a Select Committee the 7th Section of the 3d Article, and the subject of Elective Franchise

And the question thereon being taken

It was determined in the negative

Mr. Clarke moved and was seconded to amend the 7th Section to strike out the words "free white Inhabitants" and insert in lieu thereof "free white taxable Inhabitants"

And the question thereon being taken

It passed in the Affirmative

The yeas and Nays being called for by two Members Present

Those who voted in the Affirmative are

Mr. President
" Barnes
" Burnet (of Clair)
" Brandon
Burton
Clarke
Davis
Downs
Glass
Hanna
Johnson
Leake
Lattimore

Mead
Rankin
Simpson
Sessions
Steel
Scott
Taylor
Turner
Wilkins
Williams
23

Those who voted in the Negative are

Mr. Balch
" Batchelor

Burnet (of Hancock)
Bilbo

" Dickson
" Gray
" Jourdan
" Knox
" King
" Minton
" McLaughlin
" McKay
" McRea
" McLeod, McNabb, 25,
" Patton

Runnels
Torrence
Wilkinson
West

Mr Mead offered the following Resolution for the adoption of the Convention

"Resolved that a Committee of — Members be appointed to inquire into the policy of providing for a due influence of property in the General Assembly; and that they report thereon at 4 O Clock this afternoon

which was ordered to lie on the Table

On Motion of Mr Lattimore and seconded, Ordered that the Words (Within this State) be transposed and inserted immediately after the Word (Right) in the 4th line

Mr Davis moved and was seconded to amend the amendment in the 24th Section to strike out in the fourth line the words (or justice of the peace and of the quorum)

And the question thereon being taken

It was determined in the Negative.

Mr Mead moved and was seconded, to amend the 24th Section, by inserting after the word State in the 3rd line these Words. (the office of Post Master excepted)

And the question being put. Was Resolved in the affirmative

Mr Davis moved and was seconded, to amend the 24th Section, to insert after the word (Militia) in the 4 line these words (to which there is attached no annual Sallary)

And the question thereon being taken.

It was Resolved in the affirmative.

Mr Scott moved and was seconded, to amend the second Section, to strike out the word, one year and in lieu thereof insert the word two years.

And the question thereon being taken It was determined in the Negative.

The yeas and Nays being demanded by two of the Members present

Those who voted in the affirmative are

Mr Barnes
" Batch
" Burton
" Johnson
" Scott.
Mr Taylor
" Turner
" Wilkins
" Williams &
Wilkinson 10

Those who voted in the Negative are

Mr President
" Burnett of Claiborne
" Brandon
" Batchelor
" Burnett of Hancock
" Bilbo
" Clark
" Davis
" Dickson
" Glass
" Gray
" Hamer
" Jourdon
" Knox
" King
" Leak
" Lattimore
Mr Mead
" Minton
, McLaughlin
" McRae
" McKay
" McLeod
" McNabb
" Patton
" Poindexter
" Rankin
" Simpson
" Spears
" Steel
" Torrance &
" West. [illegible].
" Runnels 33
"

On motion of Mr Leak and Seconded Ordered that the word (and Tuesday) in the 3rd Section be stricken out, and insert after the word August, (these words) and the day following.

Mr Rankin moved and was Seconded, to amend the 5 Section, to strike out the word, (qualified Voters) in the fourth & sixth line, and in lieu thereof insert the words.

(free white inhabitants)
And the question thereon being taken.
It was resolved in the affirmative.
Mr Leake moved and was seconded, to strike out the 27th Section as amended.
And the question thereon being taken
It was determined in the negative.
Mr Leake moved and was seconded, to reconsider the vote taken on yesterday upon the filling of the blank in the 27th Section.
And the question thereon being taken.
It was resolved in the affirmative.
The question then recurred on filling up the said blank with the word (Shieldsborough or the bay of St Louis)
And the question being put.
It was determined in the negative.
Mr Batchelor moved and was seconded, to fill up the said blank with the word Liberty
And the question being taken.
It was resolved in the negative.
Mr Poindexter moved and was seconded to fill the blank with the word Natchez
And the question thereon being taken
It was resolved in the affirmative.
The yeas and nays being demanded by two members present.
Those who voted in the affirmative are

Mr. President
" Barnes
" Burnett of Claiborne
" Balch
" Brandon
" Clark
" Davis
" Dawins
" Glass
" Lehman
" Knox
" Leak

Mr. Mead
" Poindexter
" Rankin
" Simpson
" Sessions
" ~~Steel~~
" Scott
" Taylor
" Turner
" Wilkins &
" Williams
23.

Those who voted in the Negative are
Mr Batchelor
" Burton
" Burnett of Hancock
" Bilbo
" Dickson
" Gray
" Hanna
" Louden
" King
" Lattimore
" Minton
Mr. McLaughlin
" McCoy
" McRea
" McLeod
" McNabb
" Patton
" Runnels
" Torrance
" Wilkinson
" & West
" 21.

Mr Simpson moved and was seconded that when the Convention adjourn it will adjourn till 4 Oclock P. M
And the question being put.
Was determined in the negative.
Mr Wilkins moved and was seconded that when the Convention adjourns, that it will adjourn until three Oclock P. M
And the question thereon being taken
It was Resolved in the affirmative.
and the Convention adjourned until three Oclock P. M.

3 Oclock P M

The Convention met pursuant to adjournment
The Convention Resumed the unfinished business of the day
Mr Burnett of Claiborn moved and was seconded, to add the following, as a new Section to be inserted in the 3 article the General Assembly shall at their first session, fix on a temporary seat of Government which place when so fixed on, shall be the seat of Government, for five years thereafter,
Mr Burnett of Hancock moved & was seconded in the word, shall appoint five Commissioners one from Jackson, one from Wayne one from Wilkin ~~en~~, one from

Warren & [illegible]
to fix on a temporary seat of Government
for — years thereafter.

The question being taken thereon it was determined in the negative.

The question recurred upon the adoption of the Section last moved. And was determined in the negative.

Mr. Minton moved & was seconded, to amend the 3rd. Article by adding the following as a new Section "The General Assembly shall at their first session fix on a suitable place for the seat of government, where it shall remain — years, or until by the extinguishment of Indian title to lands, (the center of the State can be obtained, at which time the seat of government shall be permanently fixed at or as near the Center of the State as may be convenient) and remove thereto, so soon as suitable buildings are erected for the accomodation of the two houses of the General Assembly"

Mr. Mead moved & was seconded to amend the amendment by striking out the word "shall" and inserting in lieu thereof the word "may"

And the question being taken thereon it passed in the negative.

Mr. Poindexter moved & was seconded, to amend the new Section proposed by Mr. Minton, to strike out from the word "lands" to the word "Convenient" & insert in lieu thereof "they shall deem it expedient to remove the same to a more central part of the State" And the question thereon being taken it was determined in the negative.

Mr. Scott moved & was seconded to amend the same Section by inserting after the words "remain" the words "for — years or" And the question being put it was determined in the negative.

The question then recurred upon the adoption of the Section as moved by Mr. Minton, and the question being taken it was determined in the negative

The yeas & nays being demanded by two of the members present.

Those who voted in the affirmative are

Mr. President
" Brandon
" Clark
" Davis
" Gray

Mr. Johnson
" Knox
" Leake
" Minton
" Rankin
" Steel

" Mr. Scott
" Taylor
" Wilkins
" Williams
&
" West — 16

Those who voted in the Negative are.

Mr. Barnes
" Bennett of Cla.
" Balch
" Batchelor
" Burton
" Bennett of Han.
" Bilbo
" Dickson
" Glaſs

Mr. Hanna
" Jordan
" King
" Lattimore
" Meade
" McLaughlin
" McKay
" McRea
" McLead
" McNabb

" Patton
" Poindexter
" Reynolds
" Simpson
" Seſsions
" Turner
" Torrence
" &
" Wilkins
No. 27.

Mr. Mead moved & was seconded to adopt the following as a new Section to be inserted under the 3rd Article "The seat of Government shall remain at the City of Natchez for five years and thereafter be fixed by the General Aſsembly". And the question thereon being taken It was determined in the Negative. The yeas & Nays being demanded by two of the Members Present. Those who voted in the affirmative are

Mr. President
" Balch
" Brandon
" Glaſs
" Johnson
" Leake
" Mead
" Rankin

Mr. Simpson
" Seſsions
" Steele
" Scott
" Taylor
" Turner
" Wilkins
" Williams — 16.

Those who voted in the Negative are.

Mr. Barnes.
" Bennett of Cla.
" Batchelor
" Burton
" Bennett of Han.
" Bilbo

Mr. Clark
" Davis
" ~~Dickson~~
" Dickson
" Gray
" Hanna

Mr. Jourdan
" Knox
" King
" Lattimore
" Minton
" McLaughlin
" McRay
" McRea
" McLeod
" McNabb
" Patton
" Poindexter
" Runnels
" Torrence
" Wilkinson
" West — 27.

Mr. Simpson moved & was seconded to add a new section to be inserted under the 3rd Article, the following to wit, "The General Assembly shall at their first session fix ~~& establish a place~~ on a suitable place for the seat of government, at which it shall remain for years and until removed by law. And the question being taken thereon it passed in the negative.

Mr. Davis offered for the adoption the following as a new section to be inserted under the 3rd Article " The General Assembly fix on a suitable place for the seat of government until removed by a majority of three fifths of both houses of the legislature" And the question being taken thereon, it was determined in the negative

Mr. Wilkins moved & was seconded to adjourn and the question being put it was determined in the negative

Mr. Mead moved & was seconded to amend the 27th section of the 3rd Article, by inserting after the word "Natchez" in the 2nd line "for & during the period of five years and thereafter at such place as may be directed by law.

And debate arising thereon

Mr. Mead moved & was seconded that the Convention do now adjourn — and the question being taken it was determined in the negative.

Mr. Poindexter moved & was seconded to amend the amendment proposed by Mr. Mead, by striking out the words "for & during the period of five years" and debate arising thereon.

Mr. Burnet, of Claiborne, moved an adjournment, which was determined in the negative.

Mr Taylor moved & was seconded to adjourn and the question being taken thereon, it was determined in the negative.

The question then recurred on Mr. Poindexter's amendment to the amendment proposed by Mr. Mead — And the question thereon being taken it was resolved in the affirmative.

The question then recurred on the motion of Mr. Mead as amended — And the same ~~being~~ put — It was determined in the affirmative.

And then the Convention adjourned until tomorrow morning.

Thursday 7th August 1817.

The Convention met pursuant to adjournment. Mr. Poindexter offered for the consideration of the Convention the following Resolutions to wit "Resolved that the Secretary ~~of the Convention~~ be directed to have printed for the use of the Members ——— Copies of the Journals of the proceedings of the Convention."

And the question being taken on said resolutions. It was determined in the affirmative.

On motion of Mr Lattimore & seconded ordered that the blank in said resolution be filled with the words "~~fifty~~" "five hundred".

On motion of Mr. Poindexter & seconded the convention resumed the unfinished business.

On motion of Mr. Burton & seconded. The following as a new Section was offered ~~as a new section~~, to be inserted under the 3rd Article Section — "The Legislature shall at their first session pass a law directing that one Commissioner be elected from each County in the State by the qualified Electors thereof whose duty it shall be or a majority of them to fix on the Seat of

Government for — years for the same as near center thereof with reference to population as m[ay] be —"

And the question being taken
It was determined in the Negative

Mr. Mead moved & was seconded that the unfinished business lie on the table
And the question being taken thereon
It passed in the negative —

4th Article

Executive Department

The amendment to the 2nd Section being read at the Secretaries table and the question and concurrence thereon being taken
It was resolved in the affirmative

The first amendment to the 3rd Section striking out the word "Native" in the first line being read and the question ~~thereon~~ of concurrence thereon being taken
It was determined in the affirmative

The yeas & nays being demanded by two members present.
Those who voted in the affirmative are

Mr. President
" — Barnes
" — Brandon
" — Bibbs
" — Davis
" — Downs
" — Glass
" — Gray
" — Hanna

Mr. Knox
" King
" Leake
" Lattimore
" Minton
" McLaughlin
" McRea
" McNabb
" Poindexter

" — Rankin
" Simpson
" Sessions
" Scott
" Taylor
" Turner
" Torrence
" Wilkinson — 26.

Those who voted in the Negative are
Mr. Burnet of Clai, " Mr. Burnt, of Han
" Bachelor — " — Clark
" Burton — " Dickson —

Mr Johnson
" Jourdan
" Mead
" McKay
" McLeod
" Patton

Mr Runnels
" Steele
" Wilkins
" Williams
" &
" West. 17.

The second amendments in the 3rd line being read was concurred in.
Mr Poindexter moved & was seconded to amend the amendments to the 10th Section made in Committee of the whole by adding after the word "Senate" these words "but may respite the sentence till the end of the next session of the General Assembly"

And the question thereon being taken
It passed in the affirmative.

Mr Simpson moved & was seconded to amend the Amendment to the 17th & 18th Sections by striking out from the word "officers" and inserting these words "Shall be as follows — The Governor shall nominate & by and with the advice & consent of the Senate ~~shall~~ appoint all officers whose appointment is not otherwise directed by this Constitution".

And the question thereon being taken
It was determined in the Negative.

~~The question~~

The yeas & Nays being demanded by two of the Members present.

Those who voted in the affirmative are

Mr President
" Barnes
" Burnet, of Cla,
" Brandon
" Clarke
" Davis
" Dawson
" Glass

Mr Hanna
" Leake
" Lattimore
" Poindexter
" Rankin
" Simpson
" Lipsians
" Steele

Mr Taylor
" Turner
" Torrance
" Wilkins
" &
" Wilkinson
— 21. —

Those who voted in the Negative are

Mr. Batchelor
" Benton
" Burnett of Ham,
" Bibbs
" Dickson
" Gray
" Johnson
" Jourdan
" Knox
" King
" Mead
" Minton

Mr. McLaughlin
" McKay
" McRea
" McLead
" McNabb
" Patton
" Rennels
" Scott
" Williams
" &
" West
— 22.

Mr. Lattimore moved & was seconded to amend the amendment by striking out the words "Recorded & published" and insert the words "and recorded in the public Journal of each House"

And the question thereon being taken
It was resolved in the affirmative.

The question then recurred on concurring in the amendment as amended.

And the question being put
It was resolved in the affirmative
The yeas & nays being called for by two of the members present.

Those who voted in the affirmative are

Mr. Brandon
" Batchelor
" Benton
" Burnett of Ham,
" Bibbs
" Dickson
" Gray
" Hanna

Mr. Johnson
" Jourdan
" Knox
" King
" Mead
" Minton
" McLaughlin
" McKay

Mr. McRea
" McLead
" McNabb
" Patton
" Rennels
" Scott
" Williams
West. 24

Those who voted in the negative are

Mr. President
" Barnes
" Burnett of Cla,

Mr. Clark
" Davis
" Dawing

Mr. Glass
" Leake
" Lattimore
" Poindexter
" Rankin
" Sessions
" Steele

Mr. Taylor
" Turner
" Torrence
" Wilkins
" do
" Wilkinson
" - 18

On motion of Mr. Burton & seconded that when the convention adjourns it will adjourn till 3 O'Clock P.M.
And the question thereon being taken
It was determined in the Negative

The first amendment to the 26th Section being read was concurred in.
The Second amendment to the 26th Section being read — and upon the question, will the Convention concur in said Amendments?
It was determined in the Negative.
The amendment to the 27th Section being read at the Secretary's table was concurred in.

On Motion of Mr Lattimore & Seconded to amend the 3rd Section by inserting after the "age" in the 1st line these words "Shall have been a Citizen of the United States twenty years"
And the question being taken thereon
It was determined in the affirmative

Mr. Rannels moved & was seconded that when the Convention adjourn it will adjourn till half past 3 O'Clock P.M.
And the question thereon being taken
It was resolved in the affirmative
And so the Convention adjourned till half past 3 O'Clock P.M.

Half after 3 O'Clock P.M.

The Convention met pursuant to adjournment

The Convention resumed the unfinished business— The report of the Committee of the whole being still under consideration.

Mr. Simpson moved & was seconded to amend the 15th Section by striking out the words "a majority of all the members elected to" in the 4th and 5th lines and to insert in lieu thereof these words "two thirds of" and the like amendment in the 6th & 7th lines

And the question thereon being taken It was resolved in the affirmative.

The yeas & nays being called for by two of the members present.

Those who voted in the affirmative are.

Mr. President
" Barnes
" Brandon
" Burnett (of Han)
" Bilbo
" Clark
" Davis
" Downs
" Dickson
" Gluff
" Gray
" Hanna
" Jourdan
" Knox
" King
" Lake

Mr. Lattimore
" Mead
" McLaughlin
" McKay
" McNabb
" Patton
" Poindexter
" Rankin
" Simpson
" Spions
" Steel
" Taylor
" Turner
" Torrence
" Wilkins
" Wilkinson 32

Those who voted in the Negative are

Mr. Burnett (of Cla)
" Ba~~[illegible]~~
" Benton
" Johnson
" Minton
" McRae
" McLeod
" Runnels

Mr. Scott
" Williams
" JH
" West — 11

Mr. Burton moved & was seconded to strike out the 15th section as amended.

And the question being taken thereon it was determined in the Negative

The yeas and Nays being demanded by two of the Members present.

Those who voted in the affirmative are

Mr. Batchelor
" Burton
" Johnson
Mr. Scott
" &
" West — 5. —

Those who voted in the Negative are

Mr. President
" Barnes
" Burnet of Cla,
" Brandon
" Burnet of Han,
" Bibbs
" Clark
" Davis
" Downs
" Dickson
" Gass
" Gray
" Harding
" Jourdan
" Knox
" King
" Leake
" Lattimore
" Mead
" Minton
Mr. McLaughlin
" McKay
" McRae
" McLeod
" McNabb
" Patton
" Poindexter
" Rankin
" Rennels
" Simpson
" Sypians
" Steel
" Taylor
" Turner
" Torrence
" Wilkins
" Williams
" Jr.
Wilkinson
— 38 —

Mr. Mead moved & was seconded to amend the amendments to the 17th ~~section~~ & 18th sections by adding the following ~~[illegible]~~ proviso.

"Provided that the General Assembly be authorised to provide by law for the appointment of all Inspectors, Collectors & their Deputies, Surveyors of high ways, Constables and such other inferior officers whose

Jurisdiction may be confined within the limits of the County"

Mr. Burton moved to amend the said last amendments by striking out from the word "all" in the 3rd line to the word "high-way" in the 5th line

And the question being taken thereon
It was determined in the negative.

The question then recurred on the amendment as last proposed by Mr. Mead

And the question being put
It passed in the affirmative

Militia

The amendments reported from the Committee of the whole to the 1. 2. 3. 4. 5. 6. and 7th sections being read at the Secretary's table were concurred in.

Mr. Poindexter moved & was seconded to accept the following as a new section to be inserted under that head.

"Section 4th. The Governor shall have power to call forth the Militia to execute the laws of the State, to suppress insurrections and repel invasions"

And the question thereon being taken
It was resolved in the affirmative.

Article 5th

Judicial Department

The amendments to the first section being read at the Secretary's table — was concurred in.

Mr. Poindexter moved & was seconded to amend the amendments made in the 2nd section by striking out the word "Inferior"

And the question being taken thereon
It was resolved in the affirmative

Mr. Simpson moved & was seconded to further amend the amendments to the second section by adding the word "Supreme" after the word "the" in the 2nd line-

And the question thereon being taken
It was resolved in the affirmative.

The question then recurred on concurring in the amendment as amended.

And the question being taken thereon
It was resolved in the affirmative

The amendment to the third section being read was concurred in.

Mr. Poindexter moved & was seconded to amend the 4th section by striking out the words "its jurisdiction" in the second line and in lieu thereof insert "this State"-

And the question thereon being put
It was resolved in the affirmative.

The question then recurred on concurring in the amendment to the fourth section.

And being put
It was resolved in the affirmative

The amendments to the to the fifth, sixth, and seventh sections being read were concurred in.

Mr. Davis moved & was seconded to amend the amendments to the eighth section by striking out the words "to the Inferior Courts".

And the question thereon being taken
It was resolved in the affirmative

whereupon the amendments as amended being read were concurred in.

The first & second amendments to the Ninth section being read at the Secretaries table. were concurred in.

Mr Scott moved & was seconded to amend the third amendment to the Ninth Section ~~being read at the Secretaries table~~ by striking out the words "Majority of all the Members elected"

and in lieu thereof insert two thirds of the members present".
And the question thereon being taken
It was resolved in the Negative.
The yeas & Nays being called for by two of the members present.
Those who voted in the affirmative are

Mr. President
" Brandon
" Batchelor
" Clark
" Davis
" Downs
" Johnson
" Leake
" Mead
" Poindexter
" Rankin

Mr. Simpson
" Seſsion
" Steel
" Scott
" Taylor
" Turner
" Torrance
" Wilkins
" &
" Williams
— 20 —

Those who voted in the Negative are

Mr. Barnes
" Bennet of Cla,
" Burton
" Bennet of Han,
" Bibbs
" Dickson
" Glass
" Gray
" Hanna
" Jourdan
" Knox
" King
"

Mr. Lattimore
" Minton
" McLaughlin
" McKay
" McRae
" McNabb
" Patton
" Reynolds
" Wilkinson
" &
" West
— 23 —

Mr. Clark moved & was seconded to amend the 3rd Amendment to the 9th Section by adding the following proviso. "provided that the members voting on such address shall be on Oath or affirmation"
And the question thereon being taken.
It was resolved in the affirmative.

Mr. Barton moved & was seconded that the Convention do now adjourn

And the question thereon being taken
It was determined in the Negative

The question then recurred on the concurring in the Third amendment to the Ninth section as amended.

And the question thereon being taken
It was determined in the Negative

And then the Convention adjourned till 8 O'Clock to morrow Morning.

Friday 8th August 1817

The Convention met pursuant to adjournt.

On Motion of Mr. Poindexter
The Convention resumed the unfinished business — The amendments in the Committee of the Whole in the Judiciary department being under consideration
The new section to be inserted between the 9th and 10th sections being read was concurred in.

Mr. Mead offered the following as a new section to be inserted under the 5th. Article "Section — No Person shall be appointed a Judge of the Supreme or Superior Courts of this State who shall not have been a resident of this State for — years and be — years of age" which being read and the question thereon being taken
It was determined in the Negative.

The first amendment to the 10th. Section being was concurred in
Mr. Runnels moved & was seconded, to amend the 2nd. amendment to the 10th. Section by striking out

word "said" and inserting the [illegible]
in lieu thereof:

And the question thereon being taken
It was determined in the negative.

The question then recurred on concurring in
the amendment.

And the question thereon being taken
It was determined in the affirmative.

The amendments to the 11th Section being
made, were concurred in.

The amendments to the 13th Section being ma
were concurred in.

Impeachments.

Mr Leake moved and was seconded to amend
the 2nd Section in the 3rd line by striking out
the words "all the members ~~present~~ elected to the Senate"
and in lieu thereof insert these words, "the members present"

And the question thereon being taken
It was resolved in the affirmative

Mr Burton moved & was seconded to adopt the following
as a new Section to be inserted under this head
to wit; Section — At the conclusion of the
circuits of the Superior Courts the Judges
shall meet and sit at — for the purpose of hearing and determining all motions
which may be made for new trials and in
arrest of Judgment and such points of
law as may be submitted to them"

And the question thereon being taken
It passed in the negative.

Mr Simpson moved & was seconded, to
adopt the following as a new Section to be
inserted after the 11th Section "The Gen
Assembly shall have power to constitute one
Supreme Court to consist of not less than
— nor more than Judges of the

Superior and other Courts and who shall be distinct from the Judges of the Superior and other Courts and who shall have appellate Jurisdiction only except that they shall have power to issue writs of mandamus, prohibition, quo-warranto, habeas Corpus and any other remedial or prerogative writs which may be necessary to the exercise of a general superintending autho-rity over all inferior tribunals".

Mr Lattimore moved & was seconded to amend the new Section offered by Mr Simpson by adding the following provision "Provided that the power herein given shall not be exercised by the General Assembly until the white population of the State shall amount to one hundred and fifty thou-sand"

And the question thereon being taken
It was determined in the Negative.
The question then recurred on the adoption of the new Section offered by Mr Simpson
And the question thereon being taken
It was determined in the Negative.
The yeas and Nays were called for by two of the members present, when Mr Davis moved and was seconded to recon-sider the vote taken upon the proviso to the last named Section.
And the question being put
It was determined in the Negative
The yeas & Nays upon the vote ~~on~~ on Mr Simpson's offered Section are as follows

Those who voted in the affirmative are

Mr President	Mr Davis
" Balch	" Downs
" Brandon	" Glass
" Clark	" Hicks

Mr. Mead
" Rankin
" Simpson
" Sipions
" Steel
Mr. Taylor
" Turner
" Wilkins
" &
" Wist - 17.

Those who voted in the Negative are

Mr. Barnes
" Burnet of Cla,
" Benton
" Burnet, of Han,
" Bibbo
" Gray
" Hanna
" Johnson
" Jourdan
" King
" Knox
" Lattimore
" Minton
" McLaughlin
Mr. McRay
" McRae
" McNabb
" McLeod
" Patton
" Poindexter
" Runnels
" Scott
" Torrence
" Williams
" &
" Wilkinson
— 25 —

Mr. Runnels moved & was seconded to amend the 9th Section by striking out in the second line these words, "during good behaviour" and insert in lieu thereof "for — years".

And the question thereon being taken It was determined in the Negative.

The yeas and Nays being called for by two of the Members present.

Those who voted in the affirmative are

Mr. Balch
" Burnet of Han,
" Bibbo
" Dickson
" Gray
" Jourdan
" Knox
" King
" Lattimore
" Minton
" McLaughlin
Mr. McRay
" McRae
" McLeod
" McNabb
" Patton
" Runnels
" Torrence
" Wilkinson
" & "
" Wist
— 20.

Those who voted in the Negative are

Mr President
" Barnes
" Bennet, of Cla,
" Brandon
" Batchelor
" Burton
" Clark
" Davis
" Dawns
" Glass
" Hanna.
" Johnson
" Leake

Mr Mead
" Poindexter
" Rankin
" Simpson
" Sessions
" Steel
" Scott
" Taylor
" Turner
" Wilkins
" Do
" Williams
— 24 —

Mr Mead moved & was seconded to adopt the following as a new section to be inserted after the 13th Section " The Chancery powers of this State shall be vested in a Special Court, and regulated in such manner as may be prescribed by law."

And the question thereon being taken
It was determined in the Negative.

The yeas and Nays being called for by two of the members present ~~House~~

Those who voted in the affirmative are

Mr Mead
" McRae

Mr Patton
" Runnels . 4 —

Those who voted in the Negative are

Mr President.
" Barnes
" Bennet, of Cla,
" Balch
" Brandon
" Batchelor
" Burton
" Burnett, of Han,
" Bibbs
" Clarke
" Davis
" Dawns

Mr Dickson
" Glass
" Gray
" Hanna
" Johnson
" [redacted]
" King
" Leake
" Lattimore
" McLaughlin
" McKay
" McLeod

Mr. Whatt
" Poindexter
" Rankin
" Simpson
" Sessions
" Steel
" Scott
" Taylor

Mr. [illegible]
" Torrance
" Wilkins
" Williams
" Wilkinson
" &
" West
" — 38

Mr. Burnet, of Claiborne, moved & was seconded to amend the fourth section in the Judicial Provisions, by striking out the word, "Exclusive" in the first line

And the question thereon being taken
It was determined in the affirmative

Mr. Runnels moved & was seconded to amend the 10th section by striking out in the first line these words "during good behaviour" and insert "for — years"

And the question being taken thereon
It was determined in the negative

Mr. Burnet of Hancock, moved to amend the 9th section by striking out in the second line these words "during good behaviour" and insert in lieu thereof these words "for the term of six years — provided however that the General Assembly shall have the power to appoint the Judges during good behaviour if they shall deem that method the best"

A division of the question being called for and the question for striking out being put: It was determined in the negative.

Mr. West moved & was seconded to strike out the 8th section as reported by the Select Committee and in lieu thereof insert the following "A number of Justices of the Peace shall be appointed for each County by the joint vote of the General Assembly, not exceeding two for a Company district, except for the district including the Court house, or County town, which shall not exceed three, for the term of ___ years whose Jurisdiction in Civil cases shall be limited to causes in which the amount in controversy shall not exceed ___ dollars"

A division of the question being called for and the question being taken upon Striking out.

It was determined in the Negative

Mr West moved & was seconded to amend the 8th section as reported by the Select Committee by Striking out the word "fifty" and inserting in lieu thereof the word "Twenty"

And the question thereon being taken

It was determined in the Negative

Mr Scott moved & was seconded to amend the same section by striking out the word "fifty" and inserting in lieu thereof the words "Seventy five"

A division of the question being called for

And the question upon Striking out being first

It was determined in the Negative

Article 6th

General Provisions

The amendments to the 1st section being made and the question being put will the Convention concur in this amendment?

It was determined in the Negative

A new section reported from the Committee of the whole to be inserted after the first section being read. Mr. Lattimore moved and was seconded to amend the said section by striking out the words "have power to"

And the question thereon being taken
It was determined in the negative

The yeas & Nays being demanded by two of the members present. B
Those who voted in the affirmative are

Mr. President
" Hanna
" King
" Lattimore
" McRae
" McLeod
" Patton
Mr. Runnels
" Simpson
" Sessions
" Torrance
" Wilkinson
" &
" West. – 13

Those who voted in the negative are

Mr. Barnes
" Burnet, of Cla,
" Balch
" Brandon
" Batchelor
" Burton
" Burnet, of Han,
" Bilbo
" Clarke
" Davis
" Dickson
" Gross
" Gray
" Johnson
Mr. Loudan
" Knox
" Leake
" Mead
" McLaughlin
" McRay
" McNabb
" Poindexter
" Seal
" Scott
" Taylor
" Thorn
" &
" Williams. 27

The question then recurred on concurring in the amendments ~~proposed~~ proposing the new section

And the question thereon being taken
It was determined in the affirmative

The yeas & Nays being demanded by two of the Members present:
Those who voted in the affirmative are

Mr. President
" Burnet, of Cla,
" Balch
" Brandon
" Batchelor
" Burton
" Burnet, of Han,
" Bilbo
" Clark
" Dickson
" Glass
" Gray
" Hanna
" Johnson
" Jaunceau
" Knox
" King
" Leake
" Lattimore

Mr. Mead
" McLaughlin
" McKay
" McRae
" McNabb
" McLead
" Patton
" Poindexter
" Runnels
" Simpson
" Sessions
" Steel
" Scott
" Taylor
" Turner
" Torrence
" Wilkinson
" &
West . 37

Mr. Simpson & was [illegible] that when this Convention adjourns it will adjourn till 3 OClock P. M.
And the question being take
It was determined in the affirmative

And on motion of Mr. Simpson &c.
the Convention adjourned till 3 OClock P. M.

3. OClock P. M

The Convention met pursuant to adjourn^t.
On motion of — The Convention resumed the unfinished business, the report of the committee of the whole on the General Provisions

in the Constitution being under consideration.

The amendment adding a new Section to be inserted immediately after the 7th Section being read & was concurred in

The amendment Striking out the 9th and 11th Sections — Concurred in —

Mr. Lattimore moved and was seconded to amend the amendment inserting a new Section after the 13th Section by striking out the words "twenty one" on in line thirty to insert "Nineteen" &c

And the question thereon being taken It was determined in the Negative

Mr. Clarke moved & was seconded to amend The same ~~section to~~ amendment by adding after the words "parties to" these words "for a bona fide loan of money"

And the question thereon being taken It was determined in the affirmative

The yeas and Nays being demanded by two of the members present

Those who voted in the affirmative are

Mr. Balch
" Brandon
" Batchelor
" Burton
" Burnet, of Han,
" Bibbs
" Clarke
" Glass
" Gray
" Hanna

Mr. Loudon
" Vinson
" King
" Leake
" McLaughlin
" McBay
" McRae
" McLeod
" McNabb
" Patton
" Poindexter

Mr. Runnels
″ Seſsions
″ Steel
″ Scott

Mr. Taylor
″ Turner
″ Wilkins
″ Williams —29—

Those who voted in the Negative are

Mr. President
″ Barnes
″ Burnet, of Cla,
″ Davis
″ Dawns
″ Dickson
″ Johnson
″ Lattemore

Mr. Mead
″ Rankin
″ Simpson
″ Torrence
″ Williams
″ V
″ West
— 14

The question then recurred on con=curring in the Amendment as am=ended

And the question being put
It was resolved in the affirmative

The amendment to the 14th Section being read
was concurred in

Mr. Burnet, of Claiborne, moved and was seconded to amend the amend=ment to the 15th Section by striking out the number "576." and insert "Nine hundred"

And the question thereon being taken
It was determined in the Negative

The question recurred on concurring in the Amendment

And the question thereon being put
It was resolved in the affirmative

The amendments adding the 16th and 17th Sections being read were concurred in.

Mr Taylor moved to amend the 19th section being a new one proposed in the committee of the whole by striking out the proviso.

And the question thereon being taken
It was determined in the Negative

The question then recurred on concurring in the amendment adding the new section No 19th

And the question being put
It was ~~reso~~ resolved in the affirmative

Slaves

The amendment to the first section being read — was concurred in
The amendments to the second section being read were concurred in.

Mr Burrus, of Claiborne, moved and was seconded to strike out the second section.

And the question thereon being taken
It was determined in the Negative.

Mr Lattimore moved and was seconded to amend the 1st section by striking out the words "owner or owners" in the last line and in lieu thereof insert the word "Poor"

The yeas & nays being called for by two of the members present

Those who voted in the affirmative are

Mr. Davis — Mr. McRae
" Gray — " &
" Lattimore — " Wilkinson — 5.

Those who voted in the negative are

Mr President — Mr. Burrus, of Cla,
" Barnes — " Balch,

Mr. Brandon
" Batchelor
" Burton
" Burnet, of Hancs
" Bilbo
" Clarke
" Downs
" Dickson
" Gray
" Hanna
" Johnson
" Jourdan
" Knox
" King
" Leake
" Mead
" Minton
" McLaughlin

Mr. McKay
" McLeod
" McNabb
" Patton
" Poindexter
" Rankin
" Runnels
" Simpson
" Sessions
" Steel
" Scott
" Turner
" Torrence
" Williams
" Williams
" do
" West
38

General Provisions

Mr. Lattimore moved & was seconded to amend the amendment adding a new Section to be inserted after the 1st Section the following " every person who shall after the 1st day of September one thousand eight hundred and seventeen be concerned in fighting a duel, or in offering, bearing, or accepting a challenge to fight a duel shall be disqualified forever thereafter from holding any office or place of profit, honor, or trust in this State whether the duel be fought, or the Challenge be offered, borne, or accepted in this State or elsewhere, or whether the person or persons so concerned shall at the time of fighting the duel, or of offering, bearing, or ~~fighting~~ accepting the Challenge reside in this State or elsewhere"

And the question thereon being taken
It was determined in the Negative

The yeas and Nays being demanded by two
of the Members present.
Those who voted in the affirmative are
Mr. Hanna Mr. Torrence
" Lattimore " &
" Simpson " Wilkinson
" Spears ——— 5 ———
Those who voted in the Negative are
Mr. President " Leake
" Barnes " Mead
" Burnet, of Cla, " Minton
" Balch " McLaughlin
" Brandon " McKay
" Batchelor " McRae
" Benton " McLeod
" Burnet, of Han, " McNabb
" Bibbo. " Patton
" Clark " Poindexter
" Davis " Rankin
" Downs " Runnels
" Dickson " Steel
" Gray " Scott
" Johnson " Taylor
" Jourdan " Turner
" Knox " Williams
" King " &
" Wilkins — West 37

Mr. Davis moved and was seconded to strike
out the 5th Section
The yeas & Nays being called for by two of the
Members present
Those who voted in the affirmative are
Mr. President Mr. Downs
" Balch " Gray
" Brandon " Hanna
" Burnet, of Han, " Knox
" Davis " Leake

Mr. Lattimore
" Mead
" Poindexter
" Rankin
" Simpson
" Steel
" Scott

Mr. Turner
" Torrance
" Williams
& West
" 21

Those who voted in the Negative are
Mr. President
" Barnes
" Bennett, of Cla,
" Balch
" Brandon
" Batchelor
" Burton
" Bennett, of Han,
" Bibbs
" Clarke
" Davis
" Jourdan

Mr. Leake
" Meade
" McLaughlin
" McKay
" McRae
" McLeod
" Steel
" Scott
" Taylor
" Wilkins
" &
" Williams. 23

Mr. West moved and was seconded to amend the first section under the head of Slaves by striking out the two last lines.

And the question thereon being taken It was determined in the Negative.

Mr. West moved & was seconded to amend the 15th section by adding after word "Government" in the first line these words "the preservation of liberty"

And the question thereon being taken It was resolved in the affirmative

Mr. West moved and was seconded to amend the 15th Section by inserting after the word "mankind" in the second line the following "therefore the Legislature shall forever promote and

encourage Learning by such donations and
privileges to literary institutions within
the State as may be found convenient,
and necessary."

And the question thereon being taken
It was determined in the Negative

Mr. West moved & was seconded to adopt
the following as a new Section
" Section — "Sanguinary punishments ought
to be avoided as far as may be consistent
with the peace and safety of the commu=
=nity — It shall therefore be the duty of
the Legislature to provide by law for
the establishment of a Penitentiary or
house of Correction, so soon as the
revenue of the State will admit of it
under such regulations as may be deemed
necessary and proper for the attainment
of the objects desired."

And the question thereon being taken
It was determined in the affirmative

Mr. Mead moved and was seconded that
when the convention adjourns it will
adjourn till 6 O'Clock this evening

And the question thereon being taken
It was determined in the negative

Mr. West moved & was seconded to add
the following as a new Section
"Section — In all prosecutions for a capi=
=tal nature the Court shall consist of three
Judges"

And the question thereon being taken
It was determined in the Negative

Mr. West moved & was seconded to add
the following as a new Section
"Section — No fine shall ever be laid
on any Citizen of this State exceeding

twenty dollars unless it shall be assessed by a Jury according to law"

And the question thereon being taken
It was determined in the Negative

Mr. West moved and was seconded to add the following as a New Section

"Section — No person shall hold more than one lucrative office in this State at the same time"

And the question thereon being taken
It was determined in the Negative

Mr. West moved and was seconded to add the following as a New Section

"Section — The General Assembly shall direct by law in what manner Sureties for Public officers may be discharged from such Obligations"

And the question thereon being taken
It was determined in the Negative.

Mr. West moved and was seconded to add the following as a New Section

Section — No Judge shall sit on the trial of any cause when the Parties or either of them shall be related to him either by affinity or Consanguinity, except by consent of Parties — In case all the Judges of the Court in which a suit may be brought shall be interested in the event of the Cause, or related to either of the Parties, The Governor shall in such case, specially commission a competent number of men of Law knowledge not interested or connected with either of the Parties for the determination thereof

And the question being taken thereon
It was determined in the Negative

The Yeas and Nays being called for
by two the members present
Those who voted in the affirmative are

Mr. Balch	Mr. McLaughlin
" Batchelor	" McLeod
" Burrit, of Han,	" Turner
" Clark	" Torrance
" Davis	" &
" Jepson	— West — 11

Those who voted in the negative are

Mr. President	Mr. McKay
" Burrit, of Cla,	" McRae
" Brandon	" McNabb
" Burton	" Patton
" Bilbo	" Poindexter
" Dawns	" Rankin
" Dickson	" Runnels
" Glass	" Simpson
" Gray	" Sessions
" Hanna	" Steel
" Jourdan	" Scott
" Knox	" Taylor
" King	" Wilkins
" Leake	" Williams
" Lattimore	" &
" Mead	" Wilkinson
" Minton	— 32

Mr. West moved and was seconded to add the following as a new Section
"Section — Whenever the Constitutionality of any act or law passed by the Legislature shall be questioned by judicial authority it shall be submitted to the Supreme Court and if two thirds of all the Judges composing said court shall be of opinion that the act or law in question is unconstitutional, they shall report the same to the General Assembly at the next session thereafter, with

their reasons at full length, the General Assembly shall then proceed to reconsider the same, and if they shall on such reconsiderations repass the said Acts or law by a Majority of two thirds ~~of~~ in each house, then in that case no question shall again be made of the Constitutionality of said act or law but the same shall be good & valid to all intents and purposes".

And the question thereon being taken It was determined in the Negative And the yeas & Nays being called for by two of the Members present

Those who voted in the affirmative are

Mr. Balch
" Batchelor
" Dickson
" Lattimore
Mr. McNabb
" Torrence
" Wilkinson
" West — 8

Those who voted in the Negative are

Mr. President
" Burnet, of Cla,
" Brandon
" Burton
" Burnet, of Ham,
" Bebbo
" Clarke
" Davis
" Dawns
" Glass
" Gray
" Hanna
" Johnson
" Jourdan
" Knose
" King
" Lake
" Meade
Mr. Minton
" McLaughlin
" McKay
" McRae
" McLeod
" Patton
" Poindexter
" Rankin
" Runnels
" Simpson
" Sipions
" Steil
" Scott
" Taylor
" Turner
" Wilkins
" &
Williams
35

Mr West moved and was seconded to add
the following as a new Section.

"Section — All claims to lands lying within this State not derived from the United States or confirmed by order of a law of the United States, shall be forever barred to all intents and purposes — Provided nevertheless that this Section shall not extend to Claims in that part of this State lying below the Thirty-first degree of North latitude, which have been registered and not decided on by Congress"

And the question being taken thereon
It was determined in the negative
The Yeas & Nays being called for by two
of the Members present
Those who voted in the affirmative are

Mr. Balch
" Burnet of Han,
Mr. Johnson
" West — 4.

Those who voted in the negative are

Mr. President
" Burnet, of Cla,
" Brandon
" Batchelor
" Benton
" Bibb.
" Clark
" Davis
" Dawson
" Dickson
" Glass
" Gray
" Hanna
" Jourdan
" Knox
" King
" Leake
" Lattimore
" Meade
" Minton
Mr. McLaughlin
" McRae
" McLeod
" McNabb
" Patton
" Poindexter
" Rankin
" Runnels
" Simpson
" Sessions
" Steel
" Scott
" Taylor
" Turner
" Torrence
" Wilkins
" Wilkinson
" &
" Williams
" 38

Mr Turner moved & was seconded
that when the Convention
ajourns it will adjourn till 7
OClock to morrow Morning
And the question thereon being put
It was resolved in the affirmative
And on motion the Convention
adjourned till 7 OClock to morrow
morning.

Saturday 9th August 1817.

The convention met pursuant to adjournment

On motion of Mr Poindexter the Convention resumed the unfinished business.

On Motion of Mr Poindexter & seconded, That the Convention reconsider their vote taken yesterday on the amendment proposed by Mr West in relation to the establishment of a Penitentiary
And the question thereon being taken
It was resolved in the affirmative.

Mr Simpson moved & was seconded to amend the said Amendment by striking out from the word "Community" and insert in lieu thereof the following " It shall be the duty of the General Assembly to erect a Penitentiary prior to the year one thousand eight hundred & thirty"
And the question thereon being taken
It was determined in the negative
The question then recurs on adopting the Amendment as proposed by Mr. West

And the question thereon being taken
It was determined in the Negative

Mr. Scott moved & was seconded to adopt the following as a new Section

"Sec — A law shall be passed at the first session of the General Assembly providing for the payment of such Slave or Slaves as may hereafter be executed under sentence of the law, excepting in cases of insurrection and rebellion — provided however that the owner or owners of such Slave or Slaves shall not receive less than two thirds nor more than three fourths of the Value of such Slave or Slaves — And provided that Slaves only shall be taxed to raise the funds to make such remuneration"

And the question being put thereon
It was determined in the negative
The Yeas & Nays being called for by two of the members Present
Those who voted in the affirmative are

Mr. President
" Brandon
" Benton
" Bilbo
" Davis
" Johnson
" Jourdan
" Leake
" Mead
" McLaughlin

Mr. McRay
" Poindexter
" Simpson
" Sessions
" Scott
" Taylor
" Turner
" Torrence
" Wilkins
" Williams — 20.

Those who voted in the Negative are

Mr. Barnes
" Burnett, of Clay,
" Balch
" Batchelor
" Burnet, of Han,
" Clarke
" Dawns

Mr. Dickson
" Gray
" Hanna
" Nixon
" King.
" Lattimore
" Minton

Mr. McRae
" McLeod
" McNatt
" Patton

Mr. Rankin
" Runnels
" Wilkinson
" West — 22.

Schedule

The amendments being read were concurred in.

Mr. Patton moved and was seconded to add the following as a new section.

"Section — The Governor may appoint and commission an additional Judge, or one of the former Judges of the Superior Courts whose commission shall expire so soon as appointments can be made under the Constitution. It shall be the duty of the Judge so appointed, or one of the former Territorial Judges to hold Superior Courts in the Counties of Jackson, Greene, Wayne, & Hancock at the times heretofore provided by law. Provided that if either of the former Territorial Judges in addition to his duty in the Western Counties perform such duty & no additional Judge be appointed, he shall receive an extra compensation for his services as the other Judges of the Superior Court."

And the question being put thereon It was resolved in the affirmative.

Mr. Burnet, of Claiborne moved and was seconded to add the following as a new Section.

"Section — The Sheriff of Warren County shall within ten days after the Election make return of the number of Votes for Senator in his County to the Sheriff of Claiborne County, who shall be the returning officer for the District

The Sheriff of Pike County shall within ten days after the Election make return of the number of votes for Senator in his County to the Sheriff of Franklin County, who shall be the returning officer for the District & Lawrence

The Sheriffs of Hancock Countys shall within ten days after the election make return of the number of votes for their respective Counties to the Sheriff of Marion County who shall be the returning officer for the District.

The Sheriffs of Jackson & Wayne Counties shall within ten days after the Election make return of the number of votes for Senator in their respective Counties to the Sheriff of Green County who shall be the returning officer for the District.

And the question thereon being taken It was determined in the affirmative

Mr Turner then moved & was seconded to amend the 4th Section adopted by the Convention, as a new one by striking out the words "first monday & the day following" and insert in lieu thereof "Second monday"

And the question thereon being taken It was determined in the negative

General Provisions

Mr Turner moved & was seconded to re-commit the 5th & 6th Sections to a committee of the whole forthwith.

and the question thereon being taken It was determined in the negative.

* * *

On Motion of Mr Poindexter and seconded — Ordered that the Constitution reported by the select committee as amended be engrossed and made the order of the day for the 3rd reading for Tuesday next.

And the question thereon being taken It was resolved in the affirmative.

On motion of Mr Poindexter & seconded Ordered that a committee of three Members be appointed to superintend the engrossment of the Constitution, the arrangement of the several Articles and Sections and the Correction of the language thereof" And Mr. Poindexter, Mr. Simpson and Mr. Leake were appointed accordingly.

Mr Leake moved & was seconded that when the Convention does adjourn it will adjourn till 2 OClock on Tuesday next.

And the question thereon being taken It was determined in the negative.

Mr Rankin moved & was seconded that when the Convention adjourns it will adjourn till Tuesday next

And the question thereon being taken It was determined in the Affirmative

On Motion of Mr Poindexter and seconded

Resolved that the members of the Convention be allowed for their daily allowance four Dollars and four Dollars for every twenty Miles travelling to & from the Town of Washington to the Place of their respective residence — and that the President of the

Convention be allowed for his services the Sum of eight dollars for each days attendance on the Convention — And that the Secretary of the Convention be allowed Seven & one half dollars pr. day for his services The assistant Secretary be allowed Seven & one half dollars pr. day for his services — And the door keeper three dollars pr day for his services — And the assistant door keeper two dollars per day for his services

And also Resolved that the President shall sign a Warrant for such sums as may be allowed under the preceding resolution to the members of this Convention and the officers thereof — And also for the contingent expenses of the Session directed to the Territorial Treasurer — and that the same shall be a good & sufficient voucher to said Treasurer for the payment of the sums therein Specified".

On motion of Mr. Taylor & seconded

Ordered that Mr. Brandon be excused from his attendance on the Convention for the remainder of the Session.

On Motion of Mr. Benton & seconded

Ordered that Mr. Dickson have leave of Absence for the remainder of the Session.

On Motion of Mr. Clarke & seconded

Resolved that the absent Members at the signing of the Constitution now to be agreed upon may sign the same by proxy"

On Motion of Mr. Leake & seconded

Ordered that Mr. Glass have leave of absence for the remainder of the Session

On motion of Mr Clarke & Seconded
Ordered that Mr Batchelor have leave of Absence for the remainder of the Session.

And then the Convention adjourned till Tuesday next.

Tuesday 12th August 1817.

The Convention met pursuant to adjournment.

On Motion of Mr Hanna & Seconded
Ordered that Mr King have leave of absence for the remainder of the Session.

On motion of Mr Poindexter & Seconded
The following resolutions were adopted
Resolved that the Secretary of the Convention be directed to have printed Eight hundred Copies of the Constitution and distribute the same among the respective Counties according to the number of Representatives from each"

"Resolved — That the President of the convention be and he is hereby requested to transmit one Coppy of the Constitution to the President of the United States, one Coppy to the President of the Senate, and one Coppy to the Speaker to the House of Representatives, and that he address a suitable letter to them on the occasion"

~~"Resolved that a Committee of five members be appointed to prepare for the consideration of the Convention, an address to the President of the United States, relative to~~

" Resolved that the different amendments reported by the Committee of the whole be printed at the end of the Journals of the Convention, whether such amendments were agreed to or not"

On Motion of Mr Lattimore & seconded the following resolutions were adopted

"Resolved That a Committee of five Members be appointed to prepare for the consideration of the Convention an address to the President of the United States, relative to the extinguishment of Indian Claims to lands within this State"

And Mr Lattimore, Mr Runnels, Mr Mendon Mr Foreman and Mr Dawns were appo

"Resolved That a Committee of five Members be appointed to prepare for the consideration of the Convention, a Memorial to the Congress of the United States relative to an adjustment of Claims derived from British grants to lands above the 31st degree of latitude — and also relative to a confirmation of the Claims to lands below the 31st degree of Latitude, within this State.

And Mrs Lattimore, Clarke, Lowdan, Taylor, and Johnson were appointed.

Mr Poindexter from the Committee appointed to superintend the engrossment of the Constitution, reported that the Committee have performed that service

On Motion of Mr Poindexter & seconded the engrossed Constitution was read a third time

Mr Turner moved & was seconded to strike out the 11th Section under the 6th Article — General Provisions — And the

question thereon being taken
It was determined in the Negative
The question then recurred on the
Adoption of the Constitution
And the question thereon being taken
It was determined in the affirmative

On motion of Mr. Poindexter & seconded ordered that the same committee appointed to superintend the engrossment of the Constitution, superintend the enrolling thereof.

And then the Convention
adjourned till to morrow.

Wednesday 13th August 1817

The Convention met pursuant to adjournment
Mr. Poindexter from the committee appointed to draft a petition to the Congress of the United States praying for an extension of eastern limits of the State of Mississippi made a report, which was read

And on motion of Mr. Poindexter
Resolved that the Convention will now proceed to consider the said report.

And the question thereon being taken
It was resolved in the affirmative

The yeas and Nays being called for by
two of the members present.
Those who voted in the affirmative are
Mr. President
" Burnit, of Clai.
" Balch
" Benton
" Burnit, of Han.
" Bibbo
" Davis
M. Dawes
" Gray
" Hanna
" Johnson
" Lowdan
" Knox
" Leake

Mr. Mead Mr Rankin
" Minton " Reynolds
" McLaughlin " Simpson
" McKay " Sessions
" McRae " Scott
" McLeod " Taylor
" McNabb " Torrence
" Patton " &
" Poindexter " Williams - 31 —

Those who voted in the negative are
Mr. Quittimore & Mr. West — 2 —

~~And that the convention [illegible]~~

Mr Simpson moved & was seconded that said
do lie on the table
And the question being taken thereon
It was resolved in the affirmative

On motion of Mr Poindexter and seconded
the convention resumed the conside=
=ration of the said Memorial.

Mr. Poindexter moved & was seconded that
the convention do concur in the report
of the said Committee.
Mr. West moved & was seconded that
he be excused from voting on this question
And the question being put it was
determined in the Negative.

The question then recurred on concur=
=ring in the report of the said Committee
The yeas and nays being called for
by two of the Members present
Those who voted in the affirmative are
Mr. President Mr. Dawes
" Bennett, of Clai, " Gray
" Balch " Hanna
" Burton " Johnson
" Bennett, of Han, " Jourdan
" Bilbo " Knox
" Davis " Leake

Mr. Mead	Mr. Rankin
" Menton	" Runnels
" McLaughlin	" Simpson
" McKay	" Sessions
" McRae	" Scott
" McLeod	" Taylor
" McNabb.	" Torrance
" Patton	" &
" Poindexter	" Williams — 31 —

Those who voted in the negative are Mr. Lattimore & Mr. West — 2 —

The Convention then adjourned till to-morrow.

Thursday 14th August 1817.

The convention met pursuant to adjournment.

On motion of Mr. Poindexter & seconded ordered that when this convention adjourns it will adjourn till 6 O'Clock to morrow morning — And the question being taken thereon It was resolved in the affirmative.

And then the Convention adjourned till 6 O'Clock to morrow morning —

Friday 15th August 1817

The Convention met pursuant to adjournment.

Mr. Poindexter from the Committee appointed to superintend the enrolling the Constitution reported that the Committee had examined the Constitution enrolled and that the same is truly enrolled.

Mr Lattimore moved & was seconded that the said report do lie on the table
— And the question thereon being taken
It was determined in the Negative

Mr Runnels moved & was seconded that the Constitution as enrolled be read before the members do sign the same
And the question thereon being taken
It was determined in the Affirmative
And the Constitution being read the following members signed the same, to wit,
David Holmes, President of the Convention and Delegate from Adams County.

Adams County 3

— Adams County —
Josiah Simpson
James C. Wilkins
John Steele
John Taylor
Joseph Sessions
Edward Turner
Christopher Rankin.

Jefferson County
Cowles Mead
Hezekiah J Balch
Joseph E. Davis

Claiborne County
Walter Leake
Thomas Barnes
Daniel Burnet
Joshua G. Clarke

Warren County
Henry D Downs
Andrew Glass

Franklin County
James Knox

Wilkinson County
George Poindexter
Daniel Williams
Abraham M. Scott
Joseph Johnson
Gerard C. Brandon
John Joor

Amite County
William Lattimore
Henry Hanna
Thomas Torrance
John Burton
Thomas Batchelor
Angus Wilkinson

Pike County
John J Minton
James Y. McNabb
David Dickson

Lawrence County
Harmon Runnels
George W. King

Marion County
Dougal McLaughlin
John Ford

Hancock County
Noel Jourdan
Amos Burnett

Wayne County
James Patton
Clinch Gray

Green County
Lauchlin McKay
John McRae.

Jackson County
John McLeod
Thomas Bilbo.

Test
Louis Winston
Secretary of the
Convention

On Motion of Mr. Poindexter & Seconded
"Resolved that the Secretary under the direction of the Convention be and he is hereby authorised to settle the account of Peter Isler for printing done for the Convention, and to grant to him a Warrant for the amount payable out of any money in the Treasury of this State not otherwise appropriated."

Mr. Lattimore from the Committee appointed to draft a Memorial to Congress in relation to British claims to lands lying above and below the 31st degree of Latitude within this State, made a report, which was read.

On motion of Mr Lattimore and Seconded Resolved that the Convention will now consider the said report.
And the question thereon being taken It was resolved in the affirmative

Mr. Lattimore from the committee appointed to draft an address to the President of the United States, on the subject of Indian

claims to lands lying within this State made a report. which was read —
On Motion of Mr Lattimore & Seconded
Resolved that the Convention will now consider the said report.

On motion of Mr Poindexter & Seconded that the convention do concur in said report And the question thereon being taken — It was resolved in the affirmative.

On motion of Mr Lattimore [redacted]
Resolved that the President of this Convention, deliver or transmit the said address and Memorial to the Senators and Representative to be elected from this State to the Congress of the United States

On motion of Mr Turner.
"Resolved that the Secretary of the Convention be allowed the Sum of Seventy five dollars for copying the Constitution and Journals for the Printer."

On Motion of Mr Turner
"Resolved that the Secretary cause the Public Tables, Chairs &c. to be conveyed to Natchez and deposited in the City Hall for safe keeping untill the meeting of the General Assembly."

On motion of Mr Mead & Seconded
Resolved that the President of this convention be authorised and required to draw on the Treasurer of the Territorial Treasury for one hundred Dollars to be paid over to the Trustees of the Methodist meeting house in the Town of Washington as a compensation for the time it has been

accepted by this convention.

On Motion of Mr Poindexter, the following Resolution was unanimously adopted

"Resolved that the thanks of this Convention be presented to David Holmes President thereof, for the dignity, ability and impartiality, with which he has discharged the arduous duties of the Chair"

Whereupon Mr President delivered the following address, to wit,

"I thank you Gentlemen for your kind and indulgent expressions respecting the manner in which I have discharged the duties of the Chair.

In entering upon them I declared my determination to act faithfully and according to the best dictates of my judgment, now that our labours have drawn to a close your approbation of my conduct is the greatest gratification I can receive.

We have been engaged fellow Citizens in an arduous and an important duty; this constitution, the result of our deliberations, I trust will hand down to posterity unimpaired, those great principles of freedom which the world admires, and which Americans revere.

Accept Gentlemen my best wishes for your individual prosperity & happiness!"

On Motion of Mr Poindexter & Leonard
Ordered that this Convention do now adjourn sine Die. - Attest
Louis Winston Secy